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Subject: Hannah News Stories for Wednesday, June 27, 2018

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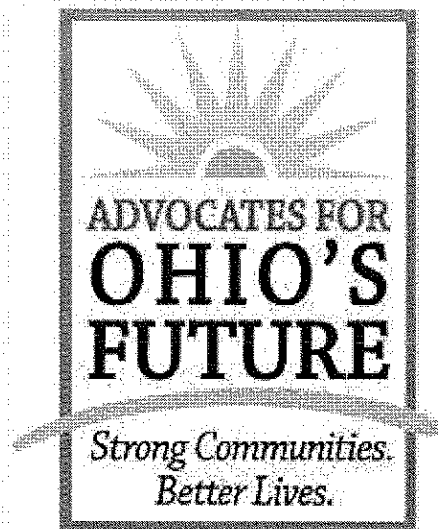
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From: Advocates for Ohio's Future
Sent: Tuesday, April 24, 2018 9:00 AM
To: Trefny, Charles
Subject: New Director at Advocates for Ohio's Future!

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*Advocates for Ohio's Future is excited to
Welcome new Coalition Manager Kelsey
Bergfeld!*

April 24, 2018



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For Immediate Release

COLUMBUS, OH – Advocates for Ohio's Future (AOF) is pleased to announce that Ms. Kelsey Bergfeld will become the organization's Coalition Manager on May 1.

AOF is a statewide coalition of nearly 500 local and statewide organizations that promote health and human service solutions so all Ohioans live better lives.

"I think Kelsey brings considerable advocacy and legislative experience to Advocates for Ohio's Future," said Lisa Hamler-Fugitt, the Executive Director of the Ohio Association of Food Banks and a co-chair of AOF.

Bergfeld most recently worked as the Legislative Liaison for SEIU District 1199 WV/KY/OH, and prior to that, was a Senior Legislative Aide for State Senator Tom Sawyer.

"We're excited about the experiences that Kelsey brings to the position. She has a wealth of knowledge in the legislative process and Ohio's health and human services system. Kelsey will be a great addition to our AOF team as we work to make sure all Ohioans live better lives. We look forward to her leading AOF into the future," said Mark Davis, President of Ohio Provider Resource Association and a co-chair of AOF.

In Bergfeld's new role, she will provide leadership in AOF's coalition work and policy advocacy. She will also work to develop legislative strategy for AOF and its members.

"Kelsey's understanding of the legislative landscape, certainly around health and human services programs, is very strong, and I think she is going to be a really

confident leader and a strong voice for our public policy agenda and representing our diverse coalition partners," said Hamler-Fugitt.

For more information on AOF, find us on Twitter at @Advocates4Ohio, on Facebook at Facebook.com/advocatesforohio or visit our website www.advocatesforohio.org.

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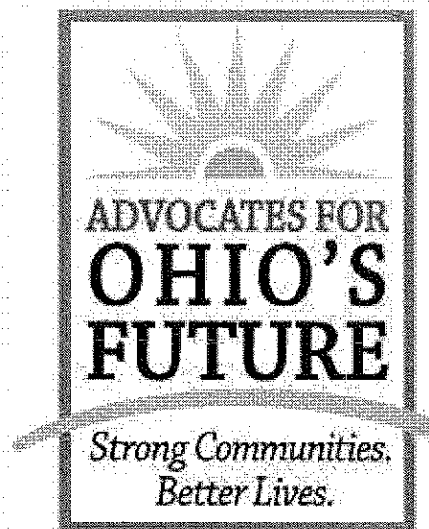
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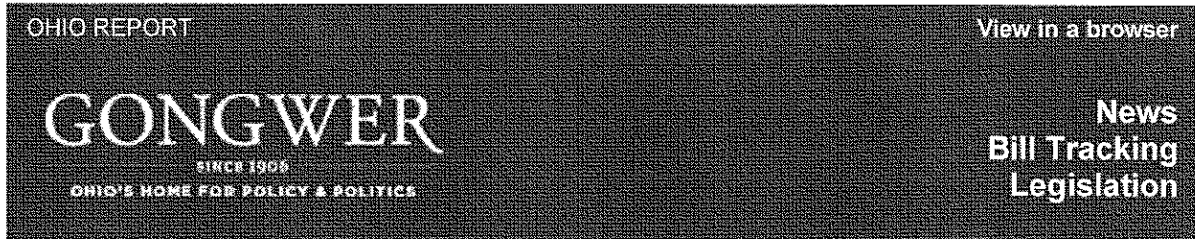
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OHIO REPORT WEDNESDAY, APRIL 25

Senate Leader Points To Variety Of Proposals After Kasich Urges Gun Safety Bill Vote

PUCO Approves Modified AEP Rate Settlement

House GOP To Vote May 15 On Next Speaker

Coal Group, Farm Bureau Urge Panel To Maintain Industry Tax Exemptions

Supreme Court Keeps In Place Rulings On Transfer Agreement, Autopsies

High Court Clarifies Appellate Review Of Arbitration Appeals

Cordray Campaign Pledges To Protect, Expand Veterans Benefits

Obhof OK With Legislative Look At E-School Enrollment Rules; OSU Joins Anti-Poverty Effort; Portman Bill Targets Tech Teacher Training; Auditor Issues Bus Study...

Space Embarks On Tour To Highlight Corruption; Cordray Launches New Ad; Yuko Gets SEIU Backing...

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Volume #87, Report #80 -- Wednesday, April 25, 2018

Senate Leader Points To Variety Of Proposals After Kasich Urges Gun Safety Bill Vote

Gov. John Kasich wants to see a set of gun safety proposals he is supporting come up for a vote, but one legislative leader said his chamber is working through several firearm-related issues.

The governor said Tuesday he hoped to see a vote on a proposal (HB 585 & SB 288) to make several changes to the state's gun laws. (See Gongwer Ohio Report, April 5, 2018)

Gov. Kasich pointed to the deadly shooting over the weekend at a Tennessee Waffle House restaurant, saying the state needs a "red flag" law to seize guns from people determined to be dangerous. That someone was able to stop the shooter while he reloaded also shows the need for limiting the capacity of magazines, the governor said.

The governor's proposals, particularly the "red flag" language creating extreme risk protection orders, have met pushback from some Republican legislators. (See Gongwer Ohio Report, April 10, 2018)

Gov. Kasich said he still expects the proposal to become law.

"We're going to get this package through," he said. "This is going to happen. It's not going to be easy to duck and run away and put your head in the sand. I will not let that happen. Maybe they can stop it, but it isn't going to be without a lot of people feeling a lot, a lot of pressure."

The governor said the gun safety proposal would likely pass if brought up for a vote.

"Bring it up and have a vote on it," he said. "We'll see where the votes are. Let's see where the majority of the caucus is. I guarantee you, you put this gun safety on the Senate floor, it passes. We need a vote."

Senate President Larry Obhof (R-Medina) said Wednesday he doesn't expect that exact proposal to come to the floor of his chamber, but that members are looking at several different items that could eventually pass.

"We have a very open process, we will look at a number of different changes related to firearms, some of which are in line with what the governor is looking at, some of which are longstanding problems that our caucus has felt we had a need to fix," he said.

The Senate leader pointed to legislation ranging from one sponsored by two Republicans to shift the burden of proof in self-defense cases, among other changes (SB 180), to proposals by Democrats to ban bump stocks (SB 219) and to create extreme risk protection orders (SB 278).

"Whether anything passes or whether a lot of it passes, we'll decide as a caucus," Sen. Obhof said.

The risk protection order measure, sponsored by Sen. Joe Schiavoni (D-Boardman), is one where Sen. Obhof said he's spoken with the sponsor and with the National Rifle Association in an effort to work out differences.

"Everything's on the table," he said.

PUCO Approves Modified AEP Rate Settlement

The Public Utilities Commission of Ohio's approval Wednesday of AEP Ohio's new rate plan sets the stage for what Chairman Asim Haque believes could be the state's longest period of rate stability in the last decade.

Mr. Haque made that assessment moments after the commission voted 4-0 to modify and approve a wide-ranging rate settlement agreement filed last year by AEP and 19 interested party groups. Commissioner Daniel Conway recused himself.

In addition to establishing rates until May 2024, the Electric Security Plan includes a \$21.1 million "Smart City Rider" to fund electric vehicle charging station development and microgrid investment.

If the commission later this year approves Duke Energy's own proposed settlement rate plan, rates would be stabilized for all four of Ohio's major electric utilities until the mid-2020s, Mr. Haque said.

"This decision represents stability for AEP customers," Mr. Haque said. "ESPs are big cases. They are time intensive and they are very litigious. To have stability in the AEP footprint...is a very good thing for AEP's current customers and for job creation in AEP's service territory."

The commission's order, which may still be appealed by opponents, has been years in the making.

AEP in 2016 filed its initial proposal but critics said that plan could pave the way for a 120% increase - from \$8.40 to \$18.40 a month - for affected customers. (See Gongwer Ohio Report, May 16, 2016)

The company filed a settlement agreement last year with 19 parties including the Ohio Manufacturers' Association, the Ohio Environmental Council, Industrial Energy Users-Ohio, the Natural Resources Defense Council to address those concerns. AEP has said

the stipulation would lead to a less than 50-cent increase in average monthly bills. (See Gongwer Ohio Report, August 28, 2017)

Julie Sloat, AEP Ohio president and chief operating officer, said in a statement the plan responds to consumer requests.

"Our customers want reliability and access to advanced technologies, such as EV charging stations, microgrids and renewable energy resources," she said.

"Our plan allows us to bring these services, which also will support economic development in Ohio, to customers across the state. The ESP enables us to continue our investments in the electric grid to provide reliable power and help advance the new technologies and cleaner energy that our customers want."

Dan Sawmiller, the NRDC's Ohio energy policy director, said one surprising modification made by the commission in its order is the removal of a provision that would have enabled AEP to push back that requested 120% increase until 2020.

Other wins from supporters' point of view is a \$10 million rebate program for electrical vehicle charging stations, \$10.5 million for microgrid projects, and regulatory tweaks clearing the way for 900 megawatts of clean energy in Appalachia, Mr. Sawmiller said.

"AEP's now going to be positioned to respond to the expectations of Ohio customers that have been pushing AEP to invest in more clean energy options for years," Mr. Sawmiller said. "On top of that there are some pilot programs in the stipulation and the data and the insight we're going to gain...create the groundwork for a lot of forward-looking progress."

The agreement still has its detractors, including the Ohio Consumers' Counsel, which has argued the deal lacks specifics on customer costs and that the "Smart City Rider" should have been tackled through a separate rate case. The OCC last month petitioned the PUCO to reopen the case to enable further debate. (See Gongwer Ohio Report, January 2, 2018)

"With the PUCO's approval of AEP's electric security plan today, the trend of charging Ohioans to subsidize outdated and non-competitive power plants continues," OCC spokeswoman Molly McGuire said. "And AEP's plan will also leave consumers paying subsidies for electric vehicle charging, microgrids, large customers (interruptible rates), automakers (bill credits), and possibly renewable energy."

The OCC has continued to press lawmakers to pass a bill (HB 247) banning Electric Security Plans, which it says deprive consumers of the benefits of competitive markets.

But in its order the PUCO determined that the ESP is "more favorable in the aggregate" than a market rate offer, which is the statutory guideline by which the commission evaluates ESPs.

"The ESP proposed in the stipulation affords customers in AEP Ohio's service territory numerous benefits and advances many of the state policy objectives enumerated in (Ohio Revised Code)," the PUCO's order reads.

Commissioner Lawrence Friedeman issued a concurring opinion elaborating on the aforementioned statutory provision - O.R.C. 4928.02 (C) - which establishes state policy as promoting customer choice, encouraging innovation and facilitating the development of the competitive retail electric market through flexible regulatory treatment.

Mr. Friedeman opined that market distortions resulting from cost imbalances might undermine that code section and that those distortions may "erect market barriers which have the tendency not to promote retail competition but rather to have an anti-competitive impact or in an extreme eventuality to re-monopolize the retail market inconsistent with enunciated state policy."

House GOP To Vote May 15 On Next Speaker

House Republicans will vote next month to choose the next speaker, and it is likely that the results of primary elections will influence who gets the gavel.

The majority caucus will vote at noon Tuesday, May 15, to choose its next leader, Speaker Pro Tem Rep. Kirk Schuring (R-Canton) said in a memo to members.

The special caucus will only consider votes for a new speaker to fill out the remainder of the year, not any other leadership positions, Rep. Schuring said.

The new speaker will replace Cliff Rosenberger, who resigned earlier this month amid an investigation by the FBI. (See Gongwer Ohio Report, April 12, 2018)

The speaker's race for the rest of the year could come down to the two candidates who have already been running for the job next year: Rep. Ryan Smith (R-Bidwell) and Rep. Larry Householder (R-Glenford). Another possibility is that the caucus will select a placeholder speaker to finish out the year, and Rep. Dorothy Pelanda (R-Marysville), who is term-limited, has expressed interest in that role.

Rep. Smith has said he's confident he can win the speaker's chair when a vote is called. (See Gongwer Ohio Report, April 13, 2018)

He and Rep. Householder have both been supporting candidates in primary races in an effort to secure a majority in the next General Assembly. (See Gongwer Ohio Report, January 30, 2018)

If the race comes down to Rep. Smith and Rep. Householder, a likely factor in the race will be the results of the primary election, to be held a week before the speaker vote.

The caucus could also choose a placeholder speaker, likely a term-limited member. Rep. Pelanda said she has discussed the possibility that she run to finish out the rest of

the year. Unlike the other hopefuls, she would be able to do so without the distraction of running in another election.

"I truly believe that it's in the best interest of the members of the Ohio House of Representatives that we have an interim leader to finish out the business of the 132nd General Assembly," she said in an interview.

She said she has not aligned herself with either of the other speaker candidates and said she has had "thoughtful, encouraging" conversations with fellow members about running.

"We've got three weeks until the election and the members will continue to be thoughtful about what is in the best interest going forward for this assembly," she said.

Coal Group, Farm Bureau Urge Panel To Maintain Industry Tax Exemptions

Existing tax breaks supporting the coal and agriculture sectors should be preserved, stakeholder groups told the Tax Expenditure Review Committee Wednesday.

The Ohio Coal Association and the Ohio Farm Bureau Federation were among a handful of interested groups arguing in favor of continuing certain tax exemptions as the panel considers whether to preserve or scrap them. (Testimony)

Their arguments are essentially the same - that their respective industries are experiencing trying times and therefore need all the assistance they can get.

OCA President Mike Cope said the coal industry is just now beginning to recover from the "relentless war on coal" waged by the Obama Administration.

"Any tax levied on the purchase of new equipment would be devastating to our recovering industry," Mr. Cope said. "State policy that could increase the cost of coal mining could translate into higher electricity bills for Ohio's consumers."

The tax credit Mr. Cope was referring to exempts tangible personal property used directly in mining. Memos from the Department of Taxation estimate that the break costs the General Revenue Fund \$73.4 million in Fiscal Year 2018 and \$74.3 million in FY 2019. (ODT Analyses)

The Farm Bureau, meanwhile, lobbied for the continuation of credits pertaining to tangible personal property used in agriculture and for the sales and installation of agricultural land tile and portable grain bins.

The former credit lowered GRF revenues by \$331.1 million and \$339.4 million in FY 2018 and 2019, ODT reported. The tile and grain bin concession has a smaller impact at just over \$1 million in each of those years.

"The application of sales tax to input costs of a capital intensive, low profit industry such as agriculture would have significant and severe consequences," said Tony Seegers, the group's director of state policy. "Farm Bureau strongly believes the sales tax exemption must be preserved."

If lawmakers did away with those tax credits, Mr. Seegers said, the higher costs wouldn't immediately be passed onto consumers through costs. Instead, he said farmers themselves would be forced to swallow the change.

"Because prices are dictated by commodity exchanges and global demand, increased costs associated with applying sales tax to inputs will largely be eaten by farmers," he said. "Considering the profit margins we operate on, one can't help to think this would very likely drive some farmers out of business."

The Ohio Council of Retail Merchants submitted written testimony defending an exemption for tangible personal property used in storing, preparing and serving food. ODT estimates a GRF impact of about \$34 million each fiscal year for the biennium due to that exemption.

"This exemption is vital to retailers engaged in providing food products to the general public, as well as to the public served by those retailers who benefit from lower prices as a result," the council argued.

Two other exemptions were on Wednesday's agenda but received no public feedback. They included sales of tangible personal property and services to electricity providers, and TPP used to produce printed materials. In Fiscal Years 2018-2019, those exemptions were expected to cost the GRF \$699.9 million and \$19.7 million respectively, according to ODT.

Wednesday's was the third overall meeting of the committee, which is tasked with reviewing all of Ohio's tax credits over the next eight years. The committee will meet again May 9 to discuss the remaining handful of sales and use tax breaks.

Chairman Sen. Scott Oelslager (R-N. Canton) said he anticipates the May meeting to be the committee's last this spring. The sales and use exemptions examined during the committee's meetings this year will form the basis of its first report this summer, he said.

"I think we're progressing in a manner that will help us make some decisions down the road and hopefully educate the people of Ohio who are watching," Sen. Oelslager said of the committee's work thus far.

The committee is expected to begin reviewing other exemptions heading into 2019 and has eight years to fully review all \$9 billion-plus a year Ohio's tax credits. The panel has already looked at manufacturing, packaging and a handful of other exemptions. (See Gongwer Ohio Report, April 11, 2018)

In general testimony, Zach Schiller, research director for Policy Matters Ohio, told members the legislature should appropriate funding for staff to undertake a more detailed analysis of the genesis of specific credits and how they have been broadened over time.

He also bemoaned that even as the committee continues its review lawmakers are still proposing and considering new tax exemptions through legislation.

"Adding new special-interest breaks is ill-conceived when this committee has barely started looking at the tax exemptions and credits we have now," Mr. Schiller said. "When the General Assembly thinks about giving away tens of millions for new business tax breaks, it should consider whether we have the money to pay for them, and whether the funds would be better spent educating young Ohioans, cutting our high infant-mortality rate, or fighting the opioid epidemic."

Supreme Court Keeps In Place Rulings On Transfer Agreement, Autopsies

The Ohio Supreme Court on Wednesday denied several motions for reconsideration, including in two high-profile cases involving abortion and public records.

In one case, the court declined to reconsider its February ruling that found the Department of Health was justified in revoking the operating license of a Toledo abortion clinic for lack of a written transfer agreement with a "local" hospital.

In the ruling, the court found that Capital Care Network of Toledo violated state administrative code by inking a written transfer agreement with an Ann Arbor hospital, which the ODH deemed to not be local. (See Gongwer Ohio Report, February 6, 2018)

Ohio Right to Life President Mike Gonidakis called on the state to revoke the license of Toledo's only abortion clinic.

"Capital Care Network owes an enormous fine of \$40,000 to the state of Ohio, based upon repeated violations of state law," he said. "The original Ohio Department of Health order remains in effect and in order to reopen, this abortion facility must reapply for a license and pay its fine before aborting anymore children."

However, in a statement of its own NARAL Pro-Choice Ohio called on the ODH to immediately reinstate the license for the clinic.

"This morning, a woman in Toledo woke up with the knowledge that she needed an abortion," Executive Director Kellie Copeland said. "There is a clinic in her community that can offer her safe and professional care. That clinic has met all state requirements to provide abortion services. John Kasich and Mike DeWine are standing in between that woman and this clinic, and they are violating her rights as they do so."

Shortly after the court's original decision, the clinic lined up a last-minute transfer agreement with ProMedica.

The court also declined to reconsider its December decision in which it ruled against two newspapers that sought to compel the release of the final, un-redacted autopsy reports of eight individuals murdered in a single night in April 2016 in a Pike County case that is still unsolved.

The divided court in a 4-3 decision found the records requested by the *Cincinnati Enquirer* and the *Columbus Dispatch* fall under the confidential law enforcement investigatory records exemption. (See Gongwer Ohio Report, December 14, 2017)

The newspapers had argued that under the law final autopsy reports do not qualify for the CLEIR exemption because a coroner is not a law enforcement official.

Justice Terrence O'Donnell and Justice Sharon Kennedy dissented with the ruling on the motion to reconsider.

In a less high-profile case, the court also declined to reconsider its decision not to accept jurisdiction in a case in which a commercial fishing operation alleged that the state's administrative code defining Lake Erie yellow perch management units is unconstitutionally vague. (See Gongwer Ohio Report, July 14, 2017)

High Court Clarifies Appellate Review Of Arbitration Appeals

When an appellate court reviews a lower court ruling on an arbitration decision it should conduct an independent review of the legal claims made on appeal, the Ohio Supreme Court ruled Wednesday.

In a unanimous decision authored by Justice Terrence O'Donnell, the high court determined appellate courts should accept findings of fact by trial courts that are not clearly made in error while reviewing the legal questions raised on appeal.

"When reviewing a trial court's decision to confirm, modify, vacate, or correct an arbitration award, an appellate court should accept findings of fact that are not clearly erroneous but should review questions of law de novo," Justice O'Donnell ruled.

The case stems from a dispute between the Portage County Board of Developmental Disabilities and one of its employees, the high court reported.

Patricia Byttner was hired to serve as an account clerk for the board with the understanding she would fill the role of a bus driver or bus aide in emergency situations.

After her hiring, Ms. Byttner refused a bus aide assignment, citing a pending knee surgery.

Two months later, the board amended her job description, leading to the union representing her to file a grievance. An arbitrator sided with Ms. Byttner and the union.

The board then successfully asked the Portage County Court of Common Pleas to vacate the ruling.

The union challenged the trial court decision at the Eleventh District Court of Appeals, which reinstated the arbitrator's decision.

However, the decision conflicted with other appellate court rulings, leading the case to the high court.

"In conformity with our resolution of the certified question, we recognize that the court of appeals conducted a proper de novo review of the trial court's decision in this case vacating the arbitration award, reversed its decision, reinstated the arbitration award, and therefore we affirm its judgment," Justice O'Donnell wrote for the court.

In his decision, Justice O'Donnell noted that nine of the state's appellate courts applied a de novo review while three applied an "abuse of discretion" review.

Tenth District Court of Appeals Judge Lisa Sadler sat in on the case for former Justice Bill O'Neill.

Cordray Campaign Pledges To Protect, Expand Veterans Benefits

Lieutenant governor candidate Betty Sutton on Wednesday unveiled her campaign's plan to safeguard health care benefits and create new employment protections for the state's servicemembers and veterans.

Ms. Sutton, the Democratic running mate of Rich Cordray, and former gubernatorial candidate Connie Pillich unveiled the campaign's policies regarding members of the armed forces at a press conference at the Statehouse Veterans Plaza.

The former congresswoman said the state has not done enough to support the men and women who are serving or have served in the military. She said enhancing services for veterans and better connecting them with existing resources would be a "top priority" in Cordray's administration.

"Too often our respect and admiration simply hasn't been matched by tangible action to help our veterans and servicemembers," she said.

The campaign's plan calls for the state to better fund county veterans services commissions to help them assist veterans making medical claims, offer incentives for employees who hire veterans with mild traumatic brain injuries, and protect the state's expansion of Medicaid for veterans who do not qualify for VA benefits.

Ms. Pillich, the head of the campaign's veterans policy team, said the "No. 1 concern" among veterans she has talked to throughout the state is health care. She said the Cordray campaign's plan would safeguard and expand important resources for servicemembers.

"Ohio veterans need much more than a specialty license plate," she said.

The former Ohio House member and U.S. Air Force veteran said the campaign also is proposing to include a box for veterans to check on state tax returns to allow the governor's office to identify them and connect them with available resources.

The plan also suggests the state protect the jobs of Army National Guard members who have been activated and allow spouses who lose their jobs because of a servicemember's transfer to collect unemployment benefits.

Ms. Sutton said she and her running mate also would make it a priority to take combat "predatory lenders" who target veterans.

"I can think of no leader with stronger credentials to do that than Rich Cordray," she said, citing her running mate's tenure as head of the Consumer Financial Protection Bureau.

Ms. Sutton, who previously served on the U.S. House Armed Services Committee, also pointed to Mr. Cordray's work on a successful 2009 ballot issue to authorize bonuses for veterans of conflicts in Afghanistan, Iraq and the Persian Gulf as evidence of his support for servicemembers.

"We owe veterans an enormous debt of gratitude, but our gratitude must be matched by tangible action by state government to improve the lives of veterans, servicemembers and military families," Mr. Cordray said in a statement. "Betty and I will fight every day in office to honor those who have served and provide them with the support they need to thrive in Ohio."

Obhof OK With Legislative Look At E-School Enrollment Rules; OSU Joins Anti-Poverty Effort; Portman Bill Targets Tech Teacher Training; Auditor Issues Bus Study...

Senate President Larry Obhof on Wednesday said setting standards for verifying e-school enrollment falls within the legislature's purview after a whistleblower's claims thrust a shuttered charter school back into the spotlight.

The chamber leader said after a nonvoting session that the body "should take a look" at how the state measures enrollment and funds such schools rather than fully deferring to ODE.

"When the legislature's able to do things or has the responsibility for doing things, it should be the legislature, not an administrative agency, that does that," he said.

The Associated Press first reported an employee of the Electronic Classroom of Tomorrow told Department of Education officials last year that the school demanded workers manipulate attendance figures after the state moved to recoup \$60 million in

payments. Within hours, the former employee's claim became an issue among candidates for attorney general and auditor. (See Gongwer Ohio Report, April 24, 2018)

Despite backing an examination of the issue by the legislature, Sen. Obhof (R-Medina) said he does not support "micromanaging all of the fine-tuned details" of the state's enrollment-verification process.

A bill (HB 611) sponsored by Rep. Keith Faber (R-Celina) and Rep. Kristina Roegner (R-Hudson) that would tie state payments to e-schools to the use of verifiable software that tracks attendance, class size and participation was introduced last week in the House.

Alliance for the American Dream: Ohio State University has received a \$1.5 grant after a philanthropic organization selected the school to participate in an effort aimed at bolstering the middle class.

Schmidt Futures, a group founded by former Alphabet Executive Chairman Eric Schmidt, announced this week it added OSU to its Alliance for the American Dream. The effort seeks to increase economic opportunities for working Americans and reduce poverty.

"We are delighted to announce that Ohio State will act as an inaugural partner in the Alliance for the American Dream," Mr. Schmidt said in a statement. "When I was in Columbus last December, I saw firsthand the energy and vibrancy of the campus and region. Columbus is a perfect place to find great, fresh ideas. We are delighted to support them as they fuel an innovation engine to help distressed communities and expand the middle class."

As part of the collaborative project, OSU will receive \$1.5 million in funding to engage business, community and government leaders in "in a robust brainstorming process," according to a news release from the school.

"As a modern land-grant university, Ohio State is committed to expanding opportunity, unlocking talent and increasing economic vitality," OSU President Michael V. Drake said in a statement. "We are absolutely thrilled to join the Alliance and to partner with individuals and communities on this important and timely endeavor. It's 'The Columbus Way' in action."

Teacher training bill: U.S. Senator Rob Portman announced the introduction of a bill aimed at establishing a grant program to support training for career and technical education teachers

"Quality CTE teachers play a key role in expanding access to high quality programs and making sure more students and parents recognize the value of a CTE education - all of which helps lead to more and better job opportunities for students," Sen. Portman said in a statement. "I'm proud to introduce this bipartisan bill to ensure that we have better prepared teachers for this generation and generations to come."

The Creating Quality Technical Educators Act would provide funding for one-year residencies at schools for potential career and technical educators.

Sen. Portman (R-Terrace Park) is co-chairman of the Career and Technical Education Caucus with Sen. Tammy Baldwin (D-WI) and Sen. Tim Kaine (D-VA). The co-chairs introduced the legislation alongside Sen. Shelley Moore Capito (R-WV).

The Alliance for Excellent Education, the American Federation of Teachers and the Association for Career and Technical Education have expressed support for the measure.

Feasibility study: Belmont County school districts could save money by combining their efforts to maintain school buses, according to a study called the "first of its kind" by the state auditor's office.

The Bellaire Local School District, the Bridgeport Exempted Village School District, the Shadyside Local School District and the St. Clairsville-Richland City School District requested the state perform the study after seeing the number of bus riders decrease in recent years.

The study found the districts could operate more efficiently and save money by combining some maintenance efforts. Legislation (HB5) that took effect in 2016 gave the auditor's office the power to study the feasibility of potential efforts to share services among local governments.

"Ohio has thousands of local government entities, which has the advantage of keeping government close to the people, but the drawback is duplication of effort," State Auditor Dave Yost said in a statement. "Sharing services can keep government close to the people while reducing redundant administration, facilities and equipment. This saves money and improves efficiency for taxpayers. It also is a way to continue providing an adequate level of service even if costs rise or budgets shrink."

Space Embarks On Tour To Highlight Corruption; Cordray Launches New Ad; Yuko Gets SEIU Backing...

Zack Space announced that he is embarking on a two-day, five-city tour detailing the "corrupt culture on Capitol Square."

The state auditor hopeful in a statement cited the Electronic Classroom of Tomorrow scandal and the resignation of former Speaker Cliff Rosenberger as examples of the "the pervasive culture of corruption."

"We must take state government back from the self-interested incumbents and campaign contributors who put their special interests above the needs of ordinary Ohioans," he said in a statement. "That's why I am calling for a wide-ranging criminal investigation into ECOT and for the politicians who aided and abetted this scam to

donate every cent of campaign contributions received from ECOT founder Bill Lager and his associates to charities supporting Ohio public schools."

The tour included Wednesday stops in Youngstown and Steubenville and will head to events in Dayton, Toledo and Lima on Thursday.

New Ad: Democrat Richard Cordray is up with his second television ad in his gubernatorial campaign.

In "Save," the former director of the Consumer Financial Protection Bureau touts his record of protecting consumers.

"As treasurer, Cordray safeguarded your tax dollars. As attorney general he recovered \$2 billion that Wall Street stole," the narrator says in the 30-second spot. "That's why President Obama chose him to be our nation's top consumer watchdog."

SEIU Backing: Senate Minority Leader Kenny Yuko, who faces a primary challenge from Rep. John Barnes (D-Cleveland), announced on Wednesday the Service Employees International Union District 1199 WV/KY/OH is backing his candidacy.

In announcing the endorsement Anthony Caldwell, director of public affairs, in a statement cited the Richmond Heights Democrat's three-decade career as a union organizer.

"Yuko's career as a 30-year union organizer reinforces and guides his principles to support the people of his district and determination to help those who are most vulnerable. He wants families in the 25th Senate District and across Ohio to earn fair wages, a quality public education, and access to healthcare coverage," he said.

Union Endorsement: Franklin County Recorder Danny O'Connor picked up another endorsement in his bid for the Democratic nomination in the 12th Congressional District.

The Communications Workers of America Local 4502 announced Wednesday that it is backing his candidacy. President David McCune in a statement said Mr. O'Connor will fight to protect working families.

"Danny has a passion for issues that affect hard working men and women such as creating economic opportunity and jobs for Ohio, improving our education system, and safeguarding our voting rights and the commitment to work for families," he said.

Farm Bill: The Ohio Farmers Union announced Wednesday its opposition to the U.S. House's version of the farm bill.

President Joe Logan said the proposal "turned a blind eye toward the urgent needs of farmers for a strong safety net" and "to the nutrition needs of America's least fortunate in both rural and urban communities."

"The Congress and administration have clearly demonstrated a willingness to explode the federal budget deficit by giving a \$1.5 trillion tax cut to wealthy corporations and individuals," he added. "When rural America asks for a far more modest budget request, they can't manage to find a way to lend a hand."

BWC Rebate: In the wake of the Bureau of Workers' Compensation's announcement that it is issuing an employer premium rebate to the tune of \$1.5 billion, the Ohio Association of Justice is questioning a challenge to an appellate court ruling that found some "scheduled loss awards" should be paid in lump sums.

BWC was paying those awards to workers who suffer amputations or loss of use due to industrial injuries on a biweekly basis.

"It is time to ask, when did the Ohio workers' compensation system stop being about injured workers?" John Van Doorn, government affairs director, said in a release. "We are all in favor of job creation in this state, but let's share some of the BWC's financial surplus with the injured workers who the system was constitutionally created to protect."

Advocate Seeks KY Seat: Longtime Ohio Statehouse fixture Col Owens is looking to enter the other side of the legislative political realm - just in another state.

Mr. Owens, who served for 30 years as senior attorney for the Legal Aid Society of Southwest Ohio and was involved in Advocates for Ohio's Future and other groups backing health and human services funding, is running as a Democrat in Kentucky's 69th House District.

The lifelong Kentucky resident's candidacy is the subject of a fundraiser next month at the home of former Ohio Rep. Ted Celeste and wife Bobbie, 1230 Oakland Ave. in Grandview Heights.

Those interested in attending or seeking more information on the event, set for 5:30-7 p.m. May 10, should RSVP to Cathy Levine at cathyjlevine@gmail.com or 614-313-7478.

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For questions about Gongwer bill tracking services, contact Gongwer at gongwer@gongwer-oh.com or 614.221.1992.

Governor's Appointments

Columbus State Community College Board of Trustees: Rick Ritzler of Galena (Delaware Co.) has been appointed to the for a term beginning April 25, 2018, and ending August 31, 2023.

Waterways Safety Council: Amy Dingle of Dayton (Montgomery Co.) has been appointed to the for a term beginning April 25, 2018, and ending January 30, 2021.

Supplemental Agency Calendar

Friday, April 27

STEM Designation Committee, 25 S. Front St., Columbus, 9:30 a.m.

Wednesday, May 9

Veterinary Medical Licensing Board, Rm. 1914, 77 S. High St., Columbus, 8:30 a.m.

17 S. High St., Suite 630

Columbus Ohio 43215

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Scott Miller, President | Kent Cahlander, Editor | Mike Livingston, Dustin Ensinger, Jon Reed,
Tom Gallick, Staff Writers

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Daily Activity Planner for Thursday, April 26

Legislative Committees

No legislative committees scheduled.

Agency Calendar

BWC Board of Directors, 30 W. Spring St., Room 3 on Level 2, Columbus, 8 a.m.
Facilities Construction Commission, Rm. 121, Statehouse, Columbus, 1:30 p.m.

Event Planner

Deadline to file pre-primary campaign finance reports

Rep. Glenn Holmes (D-McDonald) fundraiser, Vernon's Italian Ristorante, 720 Youngstown-Warren Road, Niles, 5 p.m., (Event Sponsor \$1500, Supporter \$1000, Friend \$500, Table Sponsor \$300, Individual \$60 to Committee to Elect Glenn Holmes)

Rep. Nathan Manning (R-N. Ridgeville) fundraiser, Berry's Restaurant, 15 W. Main Street, Norwalk, 5 p.m., (Sponsor: \$250 to Nathan Manning for Ohio)

Rep. Anne Gonzales (R-Westerville) fundraiser, Aloft Columbus Westerville, 32 Heatherdown Drive, Westerville, 5:30 p.m., (Sponsor: \$1,000 | Host: \$500 | Guest: \$250 to Citizens for Anne Gonzales)

Rep. Hearcel Craig (D-Columbus) fundraiser, The Lincoln Caf  , 740 E. Long St., Columbus, 5:30 p.m., (\$250, \$100, \$50, \$25 to Friends of Hearcel F. Craig)

**17 S. High St. Suite 630
Columbus Ohio 43215**

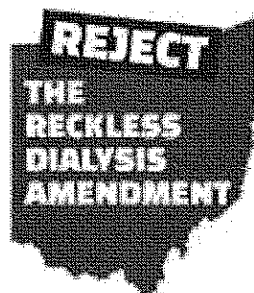
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From: Ohioans Against the Reckless Dialysis Amendment
Sent: Tuesday, July 10, 2018 11:39 AM
To: Trefny, Charles
Subject: Ohio Kidney Patient, Healthcare Groups Oppose Reckless Dialysis Amendment

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Tuesday, July 10, 2018

Ohio Kidney Patient, Healthcare Groups Unite Against Reckless Dialysis Amendment

(COLUMBUS) – [Ohioans Against the Reckless Dialysis Amendment](#), a broad coalition of leading kidney care organizations, nurses, physicians and patient advocates, today announced its opposition to a proposed Constitutional Amendment that threatens to reduce access to Ohio's 326 out-patient dialysis clinics for the 18,000 Ohioans suffering from kidney failure.

Dialysis providers are among the most regulated healthcare provider groups in the country. All out-patient clinics are licensed by the Ohio Department of Health, certified by the federal Centers for Medicare and Medicaid Services (CMS), and highly regulated under current state and federal laws and regulations. [Current laws and regulations](#) address, among other things, patient safety; environmental cleanliness; infection prevention and control; emergency preparedness; staff training and continuing education; and water system and equipment maintenance. Clinics must also submit to unannounced quality assessments and inspections by the Ohio Department of Health.

"The proposed amendment was written by a California-based special interest group with no experience in dialysis care and – without any evidence of a problem – would recklessly lock dangerous, arbitrary rules into the Ohio Constitution, threatening access to high-quality care for thousands of Ohioans," said Diane Wish, co-founder and president of the Ohio Renal Association (ORA). "What's worse, the amendment calls for rebates that will end up in the pockets of insurance companies, not patients."

Wish, a registered nurse with more than 40 years of experience in providing dialysis treatment, is joined by other kidney care experts and physicians in opposition to the proposed amendment initiated by the California-based SEIU-UHW West.

"I've seen first-hand the devastating health consequences my dialysis patients face without proper access to care," said Dr. Henry Wehrum, a nephrologist (kidney specialist) with nearly 30 years of experience in the field, who also serves on the board of the Ohio Osteopathic Association (OOA). "The Ohio Constitution is simply not the place for complicated healthcare policy. And because it's written as a Constitutional Amendment, when things go wrong it can only be changed by another Constitutional Amendment – that's not a risk I'm willing to take on behalf of my patients."

Michael Needham, president and CEO of the Kidney Foundation of Ohio (KFO) added, "the Kidney Foundation of Ohio opposes the amendment because it will harm patients, not help them. The Amendment threatens to reduce the number of centers available to Ohioans, which would be especially harmful to vulnerable patients." The Kidney Foundation of Ohio is a patient advocacy group that has been providing a broad-based program of direct assistance to those with kidney disease since 1950.

To date, the organizations opposing the amendment include:

- Academy of Medicine of Cleveland and Northern Ohio
- Chronic Disease Coalition
- Diabetes Dayton
- Dialysis Patient Citizens
- Global Healthy Living Foundation
- Kidney Care Council
- Kidney Care Partners
- Kidney Foundation of Ohio
- National Renal Administrators Association

- Nonprofit Kidney Care Alliance
- Ohio Academy of Nutrition and Dietetics
- Ohio Osteopathic Association
- Ohio Renal Association
- Ohio Sickle Cell and Health Association
- Ohio State Medical Association
- Renal Physicians Association
- Renal Support Network

Based on campaign finance filings, the California-based SEIU is believed to have hired hundreds of paid petition circulators, many from out-of-state, to gather signatures from Ohio voters. On Wednesday, July 4, the group submitted signatures to the Ohio Secretary of State in an attempt to qualify the issue for the November 6 Ohio statewide ballot. The petitions and signatures are now under review by elections officials.

"The SEIU has a long history of abusing the ballot issue process to advance its own political agenda," said coalition spokesperson Gene Pierce. "That its amendment would actually harm Ohio dialysis patients comes as no surprise to those familiar with the SEIU's strong-arm tactics."

Among the proposed Constitutional mandates are provisions directing the Ohio Department of Health to establish arbitrary revenue limits for Ohio clinics and require rebates to private health insurance companies should revenues exceed those arbitrary limits. The amendment excludes Medicare, Medicaid and other government payers — which cover nearly 90 percent of dialysis patients in Ohio — from receiving rebates, leaving only private health insurance companies able to receive them. The amendment does not require insurance companies to pass on any savings to patients.

Coalition members are concerned that arbitrary revenue limits will force some dialysis providers to consolidate operations or close locations, reducing access to critical dialysis care — particularly for patients in rural, urban, and underserved areas.

The non-partisan coalition is planning a statewide campaign to educate Ohio voters on the ballot issue's dangerous consequences, should the issue be placed on the ballot.

The estimated 18,000 Ohioans suffering from end stage renal disease (ESRD) typically receive life-preserving dialysis treatments in a clinic three times a week, with each visit taking three to four hours.

According to national research, missing even one dialysis treatment increases a patient's risk of death by 30 per cent. Find more information on ESRD in Ohio [here](#).



PAID FOR BY OHIOANS AGAINST THE RECKLESS DIALYSIS AMENDMENT

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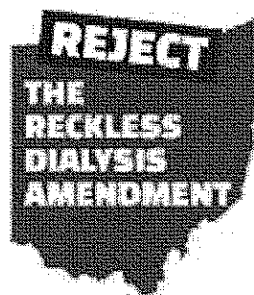
From: Ohioans Against the Reckless Dialysis Amendment

Sent: Monday, July 23, 2018 4:11 PM

To: Trefny, Charles

Subject: For Immediate Release: Ohio Dialysis Caregivers and Patient Advocates
Ready to Expose Reckless Ballot Proposal

[View this email in your browser](#)



FOR IMMEDIATE RELEASE

Monday, July 23, 2018

Contact: Gene Pierce, 614/365-9494

Email to: gene@piercecomm.com

Ohio Dialysis Caregivers and Patient Advocates Ready to Expose California Special Interest Group's Reckless Ballot Proposal

(Columbus) – Ohioans Against the Reckless Dialysis Amendment, representing more than 20 dialysis care, patient and medical groups, expressed the coalition's strong opposition to the proposed reckless dialysis constitutional amendment. Today, the amendment sponsor was given a ten-day "cure" period to collect additional signatures after failing to submit the required number of

valid signatures to qualify for this November's statewide ballot.

Ohio Renal Association President Diane Wish said, "we look forward to educating Ohioans on the problems this proposed constitutional amendment carelessly causes, putting the health of Ohio's kidney dialysis patients at needless risk. This proposal is especially dangerous for Ohioans in disadvantaged, underserved or sparsely populated areas of our state, where it would force some dialysis clinics to cut back, consolidate or close, reducing access to quality care.

"We strongly oppose this amendment and are pleased to be joined in opposition by other Ohio dialysis patient advocates such as the Kidney Foundation of Ohio, who have served Ohio dialysis patients for many years," Wish said. Wish, a registered nurse with more than 40 years of experience providing dialysis treatment, has served since 1983 as CEO of the nonprofit Centers for Dialysis Care, which operates 17 facilities in the Cleveland area.

In addition to the Ohio Renal Association and the Kidney Foundation of Ohio, opponents include the Ohio State Medical Association, the Ohio Osteopathic Association and the Ohio Academy of Nutrition and Dietetics. A complete list of opponents can be found [here](#).

"This issue is a poor attempt to fix a problem that doesn't exist," said opposition coalition spokesman Gene Pierce. 30 Ohio dialysis clinics are already subject to strict regulations that are enforced by both state and federal healthcare agencies.

The proposed amendment was written by the California-based SEIU-UHW, which is sponsoring a similar proposal (Proposition 8), now scheduled to appear on the California ballot November 6. The SEIU financed a paid petition drive, with hundreds of paid circulators from out of state, to gather signatures in Ohio in recent months.

The proposed Constitutional Amendment would mandate arbitrary revenue limits for Ohio dialysis clinics and require rebates to private health insurance companies if revenues exceeded those arbitrary limits. The proposal has no requirement that any savings be passed on to patients, nor does the rebate provision apply to the nearly nine out of ten Ohio dialysis patients who are covered by Medicare, Medicaid or other government programs such as the Veterans Health Administration.

The estimated 18,000 Ohioans suffering from end stage renal disease (ESRD) typically receive life-preserving dialysis treatments in a clinic three times a week, with each visit taking three to four hours. According to national research, missing even one dialysis treatment increases the patient's risk of death by 30 per cent.

Find more information about the amendment at
www.RecklessDialysisAmendment.com.

###

Paid for by Ohioans Against the Reckless Dialysis Amendment



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Ohio Jewish Communities

Monday Mirror

*All the news you missed last week to
prepare you for the week ahead*

Monday May 1, 2017

Join us for the

37th Annual Governor's Holocaust Commemoration

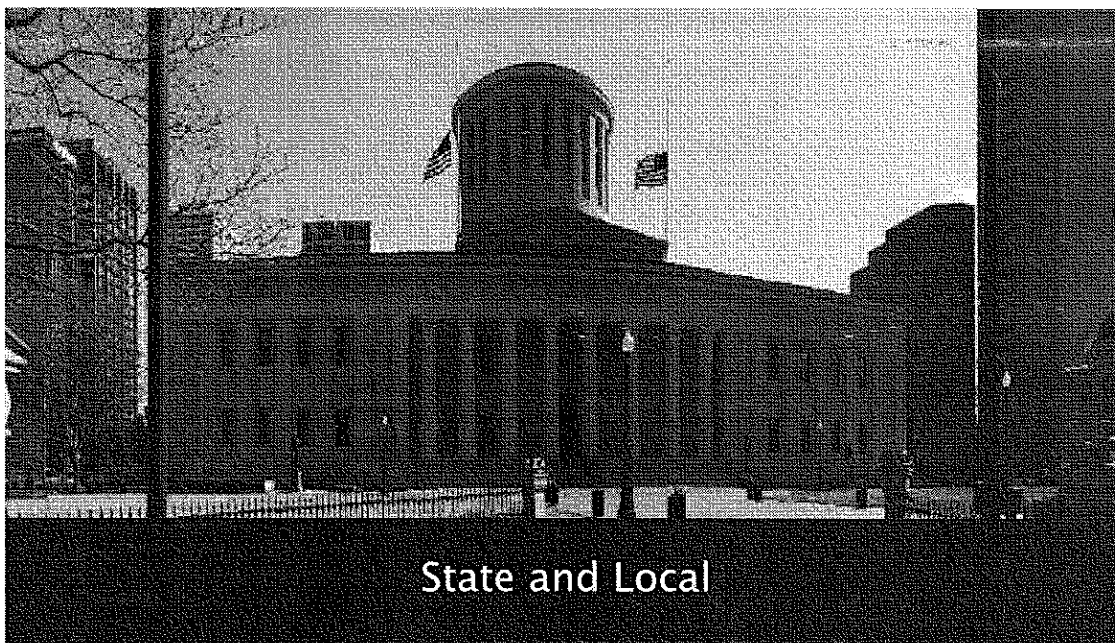
May 17, 2017

10:30 – 11:30am

Ohio Holocaust & Liberators Memorial

Ohio Statehouse, Columbus 43215

Click [here](#) to RSVP



State and Local

The Akron ISIS sympathizer arrested plotting to kill US service members **pleads guilty** and will serve up to 20 years.

The Ohio House released its revisions – **over 300 of them** – to the Governor's budget. A vote is expected next week, when the action then turns to the Senate.

An Ohio court **overturns** the Cleveland gun registry.

A **glitch** has nearly 5,000 educators out of the fingerprint system and the state is working to fix it.

Governor Kasich will be on **book tour** in state on Saturday.

And, **farewell** to Rep. **Heather Bishoff** who resigns for a family related move to San Diego and a welcome to newly selected member **Tavia Galonski** of Akron who replaces former **Rep. Johnson**.



The President spoke about Holocaust memorial this week to both the **World Jewish Congress** and later, at the official Washington event.

The president releases a **tax reform proposal** even as the debate over an education tax credit continues.

Senator Brown this week signed on to two key letters on priorities for the Jewish community in Congress. First, on ensuring needed aid to Holocaust survivors, and the second on the need for a robust **international affairs and foreign aid budget**.

Senator Portman leads on **urging** the Education Department to help more high school students get aid in taking college classes.

Portman, as the lone Republican, joined **Brown** and nearly 40 colleagues to urge the **EPA's Chicago regional office** remain open.

Count **Jim Jordan** as a **yes** this time around on the Obamacare repeal.

Reps. Fudge, Ryan, Kaptur and Beatty move to **increase** opioid funding, and a new **Medicaid rule** may help increase mental health services for those in need.

The Secretaries of **Transportation** and **Housing** were both in Ohio this week.

The Senate confirms secretaries for **Agriculture** and **Labor** as the president nominates a retired Marine to lead the **Secret Service**.

A new **congressional Israel caucus**, co-chaired by Ohio Rep. **Bill Johnson** officially launched this week. At the event, co-chair Rep. **Ron DeSantis** says the president could announce **moving** the US Embassy as early as next month.

The president announces a new **federal regulatory czar** as well as a **new spokesperson** at Foggy Bottom.

Maggie Haberman takes a look at who the President **asks for advice** outside of the **White House**.

Politico does a deep dive into the hidden aspects of the Iran Deal and speaks with critics in and out of government on the potential consequences.

And, the Toledo Blade gives some kudos to Secretary DeVos and AFT president Weingarten for some civil debate.



On the Campaign Trail



Israel and World Jewry

Will Congressional redistricting be on the next Buckeye ballot?

Chairwoman Timken pledges neutrality in the gubernatorial.

DNC Chair Tom Perez says he's focused on Jewish Democrats.

Trumbull County gets a new GOP chair.

A new Akron based PAC looks to restore bipartisan government.

And, Georgetown's Lugar Center releases its bipartisanship index. A number of Ohioans rank well, including #3 ranked Senator Portman and Reps. Dave Joyce, Steve Stivers, and Jim Renacci are all in the top 50.

WORTH A READ

Add Minnesota to the list of states combating BDS, and South Carolina is a step closer to defining anti-Semitism into law.

Israel reportedly made a series of defensive moves into Syria, attacking an arms transfer to Hezbollah and shooting down a Syrian drone.

Her Majesty's Government refuses to "apologize" for the Balfour Declaration as Australia inks an environmental cooperation memo with Israel.

President Abbas says the Arab world should have accepted the 1947 partition plan while Secretary-General Antonio Guterres says the Israeli double-standard at the UN must end.

Anti-Semitism roils the UK snap elections and even hits the New York

The Measles vaccine may have saved more lives than previously thought. NYC opens its first new bridge in a half century. And, a new book explores Israel as a global arms supplier and what that's meant for it diplomatically.

<!--[if gte mso 9]

City Council and CUNY.

Even as former leader **Marine Le Pen**

urges **banning** kosher and halal

slaughter, France's National Front

ditches the interim party leader over

charges of **Holocaust denial**.

The tiny **Jewish community** in Indonesia,

with the largest Muslim population of

any country, still feels relatively safe and

able to practice, though not always in

the open.

North Korea could face **Chinese**

sanctions even as the US deploys

advanced **anti-missile systems** in the

South.

As the Technion draws energy in **midair**,

Foreign Policy asks if Israeli conscription

drives its innovation?

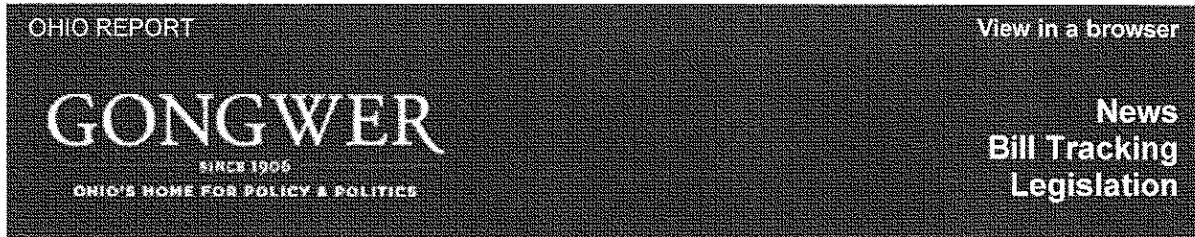
And, an **Icelandic carrier** is entering the

US-Israel flight market with a promise
of low fares.

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From: Gongwer News Service
Sent: Wednesday, June 27, 2018 10:16 PM
To: DL_Gongwer
Subject: Ohio Report, Wednesday, June 27, 2018
Attachments: Jun27Senate.htm; 180627dayplan.htm; Jun27.htm; Jun27House.htm



OHIO REPORT WEDNESDAY, JUNE 27

Lake Erie, Voting Machine Funding Among Bills Headed To Governor

Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House

Senate Passes Measures Focused On Reducing Regulations

Bills Amended To Enhance Online School Oversight Head To Governor

Senate Panel Delays Vote On Energy Standards, Wind Setback Bill

Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing

High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement

Chairman: Senate Looking For Balance With Payday Lending Measure

Prosecutors Praise Beefed Up Parole Monitoring Bill

Senate Releases Session Calendar

Governor's Appointments

Supplemental Agency Calendar

Supplemental Event Planner

Senate Committee Hearings

Energy & Natural Resources

Government Oversight & Reform

Finance

Transportation, Commerce & Workforce

Education

House Committee Hearings

Agriculture & Rural Development

Insurance

Government Accountability & Oversight

Health

Civil Justice

ACTIVITY REPORTS

=====

House

Senate

CALENDARS

Day Planner

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Senate Activity for Wednesday, June 27, 2018

INTRODUCED

SB 313 ■ **COLLEGE APPLICATION MONTH** (Schiavoni, J.) To establish the College Application Month program. Am. 3314.03, 3326.11, and 3328.24 and to enact sections 3313.6024 and 3333.301.

SB 314 ■ **SCHOOL PSYCHOLOGISTS** (Schiavoni, J.) With regard to mental health services in public and nonpublic schools, to require school districts to employ school psychologists and intervention specialists, to provide an additional state payment to school districts for school psychologist and intervention specialist services, and to make an appropriation. Am. sections 3314.03 and 3326.11 and to enact sections 3301.0730, 3317.26, 3319.077, and 3319.078 of the Revised Code and to amend Section 265.10 of Am. Sub. H.B. 49 of the 132nd General Assembly and Section 265.210 of Am. Sub. H.B. 49 of the 132nd General Assembly, as subsequently amended.

PASSED

HB 18 ■ **SPECIAL ELECTIONS** (Pelanda, D., Retherford, W.) to eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances; to authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers, to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices; and to require that, upon request, county auditors, municipal fiscal officers, and their employees must share lodging tax return information with the directors of convention and visitors' bureaus operating in their counties.
(32-0 (Earlier REPORTED-SUBSTITUTE)
Gongwer Coverage

HB 87 ■ **COMMUNITY SCHOOLS** (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of the enrollment records of a community school, to clarify the time period within which a school district emergency levy or substitute levy may be renewed or replaced, to clarify the responsibilities of a school district treasurer regarding the signing or executing of certain documents, to require the State Board of

Education to adopt standards for learning management software for internet- and computer-based community schools, regarding qualification for state payments by internet- or computer-based community schools, regarding joint health and medical insurance programs by political subdivisions and county boards of developmental disabilities, regarding submission of five-year financial forecasts by public schools, and regarding the moratorium on certain provisions affecting community schools and school districts whose enrollments were affected due to enrolling students of a suspended e-school.
32-0 (Schiavoni & Skindell) Earlier REPORTED-AMENDED

Gongwer Coverage

HB 95 ■

DISTRACTED DRIVING (Hughes, J., Seitz, B.) To establish an enhanced penalty for committing a moving violation while distracted if the distraction is the apparent cause of the violation and to reenact provisions of law that specified that certain electronic wireless communications device violations were allied offenses of similar import.

31-1 (Jordan)

Gongwer Coverage

HB 168 ■

CEMETERY REGISTRATION (Stein, D.) To modify duties of the Division of Real Estate in the Department of Commerce regarding cemetery registration, to specify cemetery owners must reasonably maintain cemeteries, to establish the Cemetery Grant Program, to allow the Board of Embalmers and Funeral Directors to review and vote upon certain license suspensions by telephone, to make various other changes to the embalmers, funeral directors, and crematory licensing laws, and to make an appropriation.

32-0

Gongwer Coverage

HB 263 ■

OUTDOOR DINING AREAS (Lanese, L.) To generally allow an owner, keeper, or harborer of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.

32-0

Gongwer Coverage


HB 312 ■

POLITICAL SUBDIVISION SPENDING (Schuring, K., Greenspan, D.) To regulate the use of credit cards and debit cards by political subdivisions, to modify the duties and powers of the Auditor of State, to specify that electronic submission of a public record request entitles the requestor to damages if the public office fails to comply with the Public Records Act, to make changes to

the law governing financial planning and supervision commissions, and to authorize a property tax abatement for certain property subject to a submerged land lease and held by a municipal corporation.

32-0 (Earlier REPORTED-SUBSTITUTE (No testimony)

Gongwer Coverage

HB 336 

LICENSE FEES (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative.

32-0

Gongwer Coverage

HB 347 

ROAD NAMING (Kelly, B., Dever, J.) To designate multiple memorial highways.

32-0 (Earlier REPORTED-SUBSTITUTE)


Gongwer Coverage

SB 119 

OPIOID MEDICATIONS (Hackett, B., Hottinger, J.) Regarding naltrexone and medication-assisted treatment.

32-0


Gongwer Coverage

SB 229 

CONTROLLED SUBSTANCES (Eklund, J.) To modify the laws pertaining to regulation of controlled substances and to make other changes in the laws administered by the State Board of Pharmacy.

32-0

Gongwer Coverage

SB 255 

OCCUPATIONAL LICENSING (McColley, R.) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations.

24-8 (Earlier REPORTED-SUBSTITUTE)

Gongwer Coverage

SB 273 ■ **RATING AGENCIES** (Hackett, B.) To enact for the Revised Code a definition of the term "rating agency."

32-0

Gongwer Coverage

SB 293 ■ **ADMINISTRATIVE REGULATIONS** (Peterson, B., McColley, R.) To require agencies to reduce the number of regulatory restrictions.

23-9 (Earlier REPORTED-SUBSTITUTE)

Gongwer Coverage

SCR 21 ■ **APPALACHIAN STORAGE HUB** (Balderson, T.) To urge the Congress of the United States to enact various bills advancing the development of an Appalachian storage hub.

31-1 (Skindell)

Gongwer Coverage

SCR 23 ■ **FEDERALISM** (Obhof, L., Peterson, B.) To reassert the principles of federalism found throughout the Constitution of the United States of America and embodied in the Tenth Amendment, to notify Congress to limit and end certain mandates, and to insist that federal legislation contravening the Tenth Amendment be prohibited or repealed.

25-7

Gongwer Coverage

INFORMALLY PASSED

SB 86 ■ **DAY DESIGNATION** (Hackett, B.) To designate multiple memorial highways and bridges, to create multiple nonstandard license plates, to create multiple special designations, and to designate John Glenn's childhood home as a state historic site.

SENATE CONCURS IN HOUSE AMENDMENTS

SB 66 ■ **CRIMINAL LAWS** (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including the promotion of effective rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility

criteria and procedures for granting pre-trial diversion and intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation; to extend the State Highway Patrol's authority to enforce criminal laws to also apply to the Northeast Ohio Correctional Center; to modify the penalty for an employer's failure to remit state income taxes withheld from an employee; and to authorize the conveyance of state-owned real estate.

29-0

Gongwer Coverage

SB 127 ■ **WASTE COLLECTION VEHICLES (LaRose, F.)** To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.

29-0

Gongwer Coverage

SB 135 ■ **VOTING EQUIPMENT (LaRose, F.)** To make supplemental operating appropriations for the FY 2018-FY 2019 biennium and supplemental capital appropriations for the FY 2017-FY 2018 biennium to implement a voting machine and equipment acquisition program.

31-1 (Jordan)

Gongwer Coverage

SB 216 ■ **SCHOOL REGULATIONS (Huffman, M.)** To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs, to add the territory of Summit County to the Stark State College District, and to prescribe procedures for appointing the board of trustees of the combined technical college district.


28-1 (Brown)

Gongwer Coverage

SB 220 ■ **CYBERSECURITY (Hackett, B., Bacon, K.)** To provide a legal safe harbor to covered entities that implement a specified cybersecurity program, to allow transactions recorded by blockchain technology under the Uniform Electronic Transactions Act, and to alter the definition of "key employee" under the Casino Gaming Law.

29-0

Gongwer Coverage

SB 221 

AGENCY RULEMAKING (Uecker, J.) To reform agency rule-making and legislative review thereof

23-6


Gongwer Coverage

SB 239 

REGIONAL GOVERNMENT COUNCILS (Dolan, M.) To modify the law concerning regional councils of governments to clarify that a municipal corporation eligible to designate a tourism development district may designate more than one district, to specify that the American Law Institute's approved "Restatement of the Law, Liability Insurance" does not constitute the public policy of Ohio, to designate a portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial Highway," to designate a portion of Interstate Route 270 in Franklin County as the "Officers Anthony Morelli and Eric Joering Memorial Highway," and to designate the portion of U.S. Route 24 in Henry County as the "Henry County Veterans Highway."

29-0

Gongwer Coverage

SB 299 

WATER IMPROVEMENTS (Gardner, R., O'Brien, S.) To credit additional amounts of the Local Government Fund to fund public safety services in areas that experienced a 30% or more decrease in the taxable value of certain power plants between 2016 and 2017, to phase out the payments over ten years, to increase the appropriation to the Local Government Fund; to support broadband development; to establish the OhioCorps Pilot Project; and to make appropriations, including appropriations for the protection and preservation of Lake Erie and the National Guard Scholarship Program.

29-0

Gongwer Coverage

CONFERENCE REPORT ADOPTED

SB 1 

DRUG OFFENSES (LaRose, F.) To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marijuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of

permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances.

31-1 (Skindell)

Gongwer Coverage

COMMITTEE HEARINGS

Energy & Natural Resources

HB 114 **RENEWABLE ENERGY (Blessing, L.)** To revise the provisions governing renewable energy, energy efficiency, and peak demand reduction and to alter funding allocations under the Home Energy Assistance Program. (SCHEDULED BUT NOT HEARD (See separate story); 8th Hearing-Possible amendments & vote)

SB 51 **LAKE ERIE (Skindell, M., Eklund, J.)** To authorize the creation of a special improvement district to facilitate Lake Erie shoreline improvement. (REPORTED-AMENDED (No testimony); 4th Hearing-All testimony-Possible vote)

Before reporting the measure, the committee adopted an amendment from **Sen. Michael Skindell** (D-Lakewood). The senator said his fellow lead cosponsor, **Sen. John Eklund** (R-Chardon), has also signed off on the change, which ensures that if state property lies within the district, the required assessment will not be forced upon the state.

Government Oversight & Reform

HB 18 **SPECIAL ELECTIONS (Pelanda, D., Retherford, W.)** To eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances. (REPORTED-SUBSTITUTE; 2nd Hearing-All testimony-Possible amendments & vote)

A substitute version offered by chairman **Sen. Bill Coley** (R-Liberty Twp.) rolls another measure (**SB 252**) into the bill that allows local elected officials to serve on the board of a convention and visitors' bureau.

In written proponent testimony, **Secretary of State Jon Husted** said the original measure will save taxpayer dollars. He noted that a special congressional election in 2016 with just one candidate costed \$340,000.

HB 312 **POLITICAL SUBDIVISION SPENDING (Schuring, K., Greenspan, D.)** Regarding use of credit cards and debit cards by political subdivisions. (REPORTED-SUBSTITUTE (No testimony); 4th Hearing-All testimony-Possible amendments & vote)

A substitute version of the bill offered by **Sen. Matt Huffman** (R-Lima) largely cleans up language in the bill and also continues a property tax abatement for the City of Lorain, Sen. Coley explained.

HB 34

PUBLIC NOTICES (Hambley, S., Ryan, S.) To authorize certain state agencies, local governments, and other boards, commissions, and officers to deliver certain notices by ordinary mail and electronically instead of by certified mail. (**REPORTED-SUBSTITUTE (No testimony)**; 4th Hearing-All testimony-Possible amendments & vote)

Sen. Huffman offered an amendment accepted without objection to remove some sections pertaining to when electronic notices would not be allowed and to allow a recently elected public official to take public records training prior to taking office.

Another change allows a county prosecutor's office to represent port authorities, planning commissions and regional airport, Sen. Coley explained.

SB 202

OFFENDER RE-ENTRY (Bacon, K., O'Brien, S.) To require the Department of Rehabilitation and Correction to establish a reentry program for all offenders released from prison who it intends to have reside in a halfway house or similar facility but who are not accepted by any such facility; to require the Adult Parole Authority to establish maximum work-load and case-load standards for its parole and field officers and have enough trained officers to comply with the standards; to require that GPS monitoring used for offenders released from prison under such monitoring specify restrictions, including inclusionary zones and necessary exclusionary zones; to require the Department to establish system requirements for GPS monitoring of such offenders by the Department or third-party contract administrators; to require the Department to operate a statewide database for law enforcement use - containing specified information about such offenders; to require that third-party administrators for GPS monitoring under a new contract with the Department provide and use a law enforcement-accessible crime scene correlation program; and to name the act's provisions the Reagan Tokes Law. (**CONTINUED (See separate story)**; 3rd Hearing-Proponent)

SB 255

OCCUPATIONAL LICENSING (McColley, R.) To establish a statewide policy on occupational regulation, to require standing committees of the General Assembly to periodically review occupational licensing boards regarding their sunset, and to require the Legislative Service Commission to perform assessments of occupational licensing bills and state regulation of occupations. (**REPORTED-SUBSTITUTE**; 4th Hearing-All testimony-Possible amendments & vote)

A substitute version of the bill offered by **Sen. Joe Uecker** (R-Loveland) makes several changes, including adding factors to the list used in determining whether an occupational licensing board has demonstrated a public need. (**Comp doc**)

It also provides that occupational regulations that are created by adopting national standards used in at least 45 states are deemed to be narrowly tailored and the least restrictive.

In written opponent testimony, Jarrod Clabaugh, executive director of the Ohio Society of Association Executives, called for lawmakers to seek additional input on the bill.

John Graham, president and CEO of the Center for Association Leadership, called for the creation of a task force.

"We suggest that instead the legislature establish a task force to consider the problem of excessive occupational licensing and to develop ways to address that problem without weakening the protections to the public offered by governmental recognition of private certification programs," he wrote.

Subscribers Note: For full testimony see the committee's website under June 26.

Finance

HB 123 **LENDING LAWS** (Koehler, K., Ashford, M.) To modify the Short-Term Loan Act, to specify a minimum duration requirement for loans made under the Small Loan Law and Mortgage Loan Law, and to limit the authority of credit services organizations to broker extensions of credit for buyers. **(CONTINUED (See separate story); 5th Hearing-All testimony-Possible vote)**

Transportation, Commerce & Workforce

HB 347 **ROAD NAMING** (Kelly, B., Dever, J.) To designate a portion of I-71 in Hamilton County as the "Sonny L. Kim Memorial Highway." **(REPORTED-SUBSTITUTE (No testimony); 3rd Hearing-All testimony-Possible amendments & vote)**

Chairman **Sen. Frank LaRose** (R-Hudson) said the substitute version allows the legislation for to be used as a vehicle for the naming of multiple memorial stretches of highway honoring people killed in the line of duty.

SB 293 **ADMINISTRATIVE REGULATIONS** (Peterson, B., McColley, R.) To require agencies to reduce the number of regulatory restrictions. **(REPORTED-SUBSTITUTE); 4th Hearing-All testimony-Possible amendments & vote)**

The committee accepted a substitute offered by **Sen. Rob McColley**, (R-Napoleon), who said the updated measure would apply the mandate to cut regulations by 30% statewide "at more of a macro level than the micro level."

Sen. McColley said his version would require every head of a cabinet-level department and every statewide elected official to inventory all regulations associated with their departments, as well as the commissions or agencies under them, and apply the 30% reduction "in the aggregate." He said the change was needed because some individual agencies or commissions might not have room to cut the percentage of regulations required by the original legislation.

"There are many state agencies that are already running pretty lean and already have very few rules," he said.

The substitute version also would give the Joint Committee on Agency Rule Review the authority to approve or deny the cuts, he said.

Sen. Matt Dolan (R-Chagrin Falls) said he agrees with the goal but has concerns the legislature may be ceding too much authority under the proposal.

"We're asking (agencies) to get rid of regulations that are contrary to legislative intent," he said. "I would rather be the one to dictate what legislative intent is."

Sen. McColley said he thinks the substitute bill "actually strengthened the authority of JCARR," and therefore, the legislature.

The panel reported the bill along party lines after accepting the substitute version.

Before accepting Sen. McColley's changes, the committee tabled a substitute bill offered by **Sen. Charleta B. Tavares** (D-Columbus) that she said would remove the requirement that

regulations be cut by 30% across the board in the state. Her version instead would have instead required state agencies to cut regulatory restrictions until a reduction "deemed sufficient by the state agency in consultation with (JCARR) has been achieved," she said.

She said the substitute version also would have prohibited agencies from removing regulations required by federal law, among other changes.

"What we're trying to do is enlist both JCARR and the agencies in identifying those regulations or statutes that should be removed ... so that we can make informed decisions," she said.

Ahead of the adoption of the substitute legislation, Greg Lawson, research fellow with the Buckeye Institute, said the state "desperately needs" the effort to cut unneeded regulations to boost the economy. He said the state's licensing requirements are more restrictive than most states.

"Requiring appropriate education and training for physicians, healthcare providers, pilots, and truck drivers helps safeguard the general public in our hospitals and on our roads and runways," he said. "But the same cannot be said with respect to auctioneers, travel guides, and hairdressers-all currently subject to Ohio's byzantine and overly restrictive licensing requirements."

Mr. Lawson said efforts to rein in regulations could lead to employers hiring more workers and employees earning more.

"Beyond occupational licensing reform, Ohio must also reexamine government mandates that interfere with market-pricing and make goods artificially more expensive for businesses," he said. "Such interference ultimately leads to slower job growth as businesses curtail hiring and wages in order to offset the artificially higher costs created by the mandates."

SB 308 **ELEVATOR LAW (Uecker, J., Yuko, K.)** To revise the Elevator Law.
(CONTINUED; 1st Hearing-Sponsor)

Sen. Joe Uecker (R-Loveland) said in sponsor testimony the measure, which has companion legislation (**HB 236**) in the House, would "modernize" the state's elevator laws. "Taking elevators is a regular occurrence in our day to day lives and malfunctions can cause serious injuries to riders. SB308 seeks to codify industry standards and set licensure qualifications to help ensure the safety of both elevator riders and workers," he said. He said the measure would update the state's definition for elevators and create an Elevator Safety Review Board, among other changes.

Sen. Kenny Yuko (D-Richmond Hts.), the measure's other primary sponsor, said the bill also establishes new licensing and insurance requirements for elevator contractors, inspectors and mechanics.

"Our goal is to ensure the safety for the public and for those who work and install elevators. The best way for us to ensure a high level of safety is to ensure that all elevators are installed and maintained by licensed professionals."

HCR 10 **ANTI-SEMITISM (Thompson, A., Greenspan, D.)** To condemn the Boycott, Divestment, and Sanctions movement and increasing incidents of anti-Semitism. (**REPORTED-AMENDED**; 5th Hearing-All testimony-Possible amendments & vote)

Chairman LaRose amended the bill with language condemning white nationalists and other hate groups.

Sen. Tavares offered a substitute resolution, which would have condemned attacks and discrimination against all minority groups by hate groups including white nationalists and neo-Nazis, and remove references to the boycott movement.

"We can't say people can't talk," she said. "That goes against who we are as a nation and a state."

The panel tabled her proposal, and Sen. Tavares subsequently cast the lone vote against reporting the measure.

Prior to the report, Connie Hammond, a member of United Methodists for Kairos Response and the Free Speech Coalition of Ohio, said the legislation unfairly conflates the Boycott, Divestment, Sanctions movement with anti-Semitism and could be seen as a form of censorship.

"The International BDS movement is not anti-Semitic," she said. "The call to BDS issued by 170 Palestinian civil society organizations asked the international community to stand for freedom, equality and justice."

Sen. LaRose said he rejects the idea that the measure constituted any kind of censorship.

"There's nothing in here that restricts speech," he said.

Education

HB 87 **COMMUNITY SCHOOLS (Roegner, K.)** Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of a community school. (**REPORTED-AMENDED (See separate story)**; 4th Hearing-All testimony-Possible amendments & vote)

SB 34 **ACADEMIC YEAR (Manning, G.)** To generally require public and chartered nonpublic schools to open for instruction after Labor Day. (**Scheduled but not heard**); 7th Hearing-All testimony-Possible vote)

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Click the  after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Thursday, June 28

Legislative Committees

Joint Medicaid Oversight Committee (Committee Record) (Chr. Huffman, S., 466-7584), Rm. 313, 9 a.m.

- Behavioral Health Redesign Update from Barbara Sears, Director, Ohio Department of Medicaid and Emily Higgins, Chair, OAHF Behavioral Health Subcommittee
 - PBM Report from Barbara Sears, Director, Ohio Department of Medicaid
- Joint Ohio College Affordability Committee (Chr. Wilson, S., 466-9739), Senate Finance Hearing Rm., 10 a.m.
- Overview of strategies for preserving and improving the affordability of a college education in Ohio by the Ohio Association of Community Colleges and the Inter-University Council of Ohio

Joint Education Oversight Committee (Committee Record) (Chr. Manning, G., 466-8150), North Hearing Rm., 11:30 a.m.

- Presentations by Connie Shriver (Coordinator of Career & Academic Readiness Education at the Mid-East Career and Technology Centers), Mary Murphy (Manager of Adult Success Initiatives at Lorain Community College), and Greg Harp (Vice President of Graduation Alliance) on Adult Graduation Pathways
- Presentations by the Ohio Department of Education and the Ohio Department of Job and Family Services on Early Childhood Programs
- Update on progress of other research projects (tentative)

Agency Calendar

Civil Rights Commission, Lobby Mtg. Rm., 1st Fl., 30 E. Broad St., Columbus, 9:30 a.m.

Elections Commission, Rm. East B., 31st Fl., 77 S. High St., Columbus, 10 a.m.

Business Gateway Steering Committee, 30 East Broad Street, Room 2925, Columbus, 1 p.m.

Public Utilities Commission of Ohio, 180 E. Broad St., 11th Fl., Columbus, 1:30 p.m.

Event Planner

Rep. Brian Hill (R-Zanesville) golf outing fundraiser, Eaglesticks Golf Club, 2655 Maysville Pike, Zanesville, 9:30 a.m., (9:30 am registration; 10:30 am shotgun start; 4:30 pm barbeque. Brian D. Hill for State Representative)

Rep. Stephanie Howse (D-Cleveland) & Rep. Janine Boyd (D-Cleveland Hts.) fundraiser, Lake Affect Studios, 1615 East 25th St., Cleveland, 5:30 p.m., (\$500, \$150, \$75, \$35 to Friends of Stephanie Howse, Friends of Janine Boyd)

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Volume #87, Report #124 -- Wednesday, June 27, 2018

Lake Erie, Voting Machine Funding Among Bills Headed To Governor

A busy day of lawmaking Wednesday saw a wide variety of bills sent to Gov. John Kasich's desk, including long-sought funding for new voting equipment and money to fight harmful algal blooms in Lake Erie.

In total, the two chambers sent 19 bills to the governor, including a pair dealing with oversight for charter schools. (*See separate story*)

The voting machine measure (SB 135) appropriates \$114.5 million to buy new equipment. The House had previously passed it, and the Senate voted 31-1 in to concur with a House amendment that updated the fiscal year in the language.

"We've had machines that in many cases are 15 years old," sponsor Sen. Frank LaRose (R-Hudson) said. "Our county boards of elections and folks all throughout Ohio are very excited about the prospect that maybe sometime this winter or next spring there may be a truck showing up with new voting machines."

"It's time that we got this done," Sen. LaRose, the Republican nominee for secretary of state, continued. "This is something we've been talking about for a while."

Rep. Kathleen Clyde (D-Kent), the Democratic nominee for secretary of state, touted the passage in a statement.

"Ohio has been in desperate need of voting system upgrades to meet the elections cybersecurity challenges we face today and to modernize our aging machinery," she said. "I am happy to see our boards of elections finally getting the resources they deserve after years of state budget cuts to local government funds. I was happy to support this bipartisan bill and will continue to ensure our counties are prepared for every elections challenge."

The Lake Erie measure (SB 299) began as a way to identify and financially support projects to combat harmful algal blooms. Among other provisions, it appropriates \$3.5 million in General Revenue Fund dollars to the Department of Agriculture for soil and water conservation districts and \$20 million to the Soil and Water Phosphorus Program.

The measure became a vehicle for spending-related amendments in the House Finance Committee Tuesday, but it collected only a few changes, making it more of a "modest decorated wreath" than a true "Christmas tree bill," as explained Wednesday by sponsoring Sen. Randy Gardner (R-Bowling Green).

Those amendments included \$7.1 million in disaster funding for 18 counties that sustained widespread flooding earlier this year. Other House-added items include \$1 million to boost broadband expansion efforts and \$1.5 million for the National Guard Scholarship. (See Gongwer Ohio Report, June 26, 2018)

It cleared the lower chamber in a unanimous vote after picking up an LSC technical amendment on the floor. The Senate then followed suit, approving the item 29-0.

Rep. Steven Arndt (R-Port Clinton), who sponsored companion legislation in the House, said the measure will go a long way toward reducing algal blooms in Lake Erie.

"This particular bill is really something that is extremely critical," he said.

Sen. Gardner called the bill a "classic example" of legislation in action given its bipartisan nature.

Both chambers accepted a conference report on a measure (SB 188) to toughen penalties for fentanyl traffickers.

The House approved the conference committee report 59-10, with Rep. Nathan Manning (R-N. Ridgeville) calling it a "very small change" in that it shifts the burden of proof to the prosecution to show a defendant knew of a fentanyl-related compound in his or her possession.

In the Senate, the vote was 31-1, with Sen. Michael Skindell (D-Lakewood) the only member opposed.

Sen. Skindell said the proposal doesn't just target traffickers, but also affects drug users. He also voiced concerns with how the state considers an aggregate amount of fentanyl, even if a little bit of fentanyl is mixed with a much greater amount of another drug.

"It not only throws the drug traffickers in jail, it throws the small users in jail," he said.

Sen. LaRose, the measure's sponsor, said the user would need to have reason to know it contained fentanyl to be charged.

"We did what we could to make sure that we truly are ensnaring the traffickers and not the addicts," he said. "We rely on reasonable prosecutors. We rely on reasonable judges and juries to do the work that they do."

A proposal initially designed to eliminate the need for a special election when only one candidate is on the ballot (HB 188) cleared the Senate unanimously but faced more opposition later in the evening when the House voted 67-22 to concur.

The dissent hinged on a provision added earlier in the day that allows some local elected officials to serve on the board of trustees of a convention and visitors' bureau.
(See committee listing)

Rep. John Becker (R-Union Twp.) said the measure goes against an advisory opinion issued by the attorney general's office.

"The reason for that conflict is quite obvious," he said.

Rep. Dorothy Pelanda (R-Marysville) said if a conflict does exist, the public official can abstain from voting on a matter.

The bill also received opposition from Rep. Tom Brinkman (R-Cincinnati) who said in light of recent event, lawmakers should do all they can to avoid any hint of impropriety.

A measure (SB 66) to provide judges with more discretion in criminal sentencing also cleared both chambers.

Rep. Nathan Manning (R-N. Ridgeville), who ushered the bill through the House Criminal Justice Committee, called the measure a smart on crime bill. He also touted several of the bill's provisions, including one that allows for expanded record sealing.

"This is something that will get people back to work," he said.

Before voting 84-2 to move the bill back to the upper chamber, an amendment offered by Rep. Bill Seitz (R-Cincinnati) was accepted to make it clear that the number of felonies that can be sealed is five with an unlimited number of misdemeanors.

Rep. Jay Edwards (R-Nelsonville) and Rep. Tim Schaffer (R-Lancaster) cast the lone "no" votes.

The Senate voted 29-0 to approve the issue, with Sen. John Eklund (R-Chardon) and Sen. Charleta B. Tavares (D-Columbus) both urging support.

Sen. Eklund specifically pointed out a change that prevents those who have more than five felonies from pursuing the sealing of records. Although it runs somewhat contrary to the Senate's effort, Sen. Eklund said the change such a person would pursue that round "is slim."

"Notwithstanding that, I certainly think the amendments are salutary...and we've come to something that will make Ohio a more just place to live," he said.

Sen. Tavares too said she believes "the integrity and the strength of the legislation remains. We are trying to do what's fair and what's right and we really believe rehabilitation should be taken seriously."

Legislation (HB 318) initially designed to deal with qualification for school resource officers picked up several changes during its journey through the legislature, including having a measure (SB 246) prohibiting expulsion and suspension of young students rolled into it while in the upper chamber.

"Suspending a six-year-old child does absolutely nothing to help them," Rep. Sarah LaTourette (R-Chagrin Falls).

It cleared the lower chamber in a 69-20 vote, with Rep. Ron Hood (R-Ashville) speaking in opposition.

"This did not get vetted in committee the way it properly needed," he said.

A bill to add prongs to the Joint Committee on Agency Rule Review process cleared the House in a 73-19 vote after Rep. Dan Ramos (R-Lorain) raised concerns that the changes could make the body more partisan.

"It is not a committee where partisanship has come in to play," he said.

Other items sent to the governor included legislation to:

- Allow restaurants to let patrons to have dogs on outdoor patios (HB 263).
- Regulate credit and debit card use by political subdivisions and make other changes to how finances are handled by local governments (HB 312).
- Create a six-month pilot program to reduce driver's license reinstatement fees (HB 336).
- Designate roads after first responders and military personnel killed in the line of duty (HB 347).
- Waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans (SB 81).
- Require drivers to move over when passing waste collection vehicles (SB 127).
- Provide a legal safe harbor for companies that enact cybersecurity protections (SB 220).
- Boost the Joint Committee on Agency Rule Review's authority to clamp down on informal rulemaking among executive agencies (SB 221).
- Create more transparency in regional councils of government (SB 239).

- Waive the concealed carry license fee for active members of the armed services and retired and honorably discharged veterans (SB 81).
- Create an enhanced penalty for distracted driving (HB 95).
- Overhaul the law relating to embalmers, crematory operators and cemeteries (HB 168).

Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House

Legislation cited as "protecting" the religious beliefs of pastors and students, and a bill to limit charges from pharmacy benefit managers were among the slew of proposals receiving the House's stamp of approval during a marathon session Wednesday.

Also among the 31 measures passed in the first part of the session were a number of Senate bills that now advance to the desk of Gov. John Kasich thanks to Senate concurrence votes later in the day. The chamber also approved a conference committee report on a measure to boost penalties for drug trafficking and possession. (See *separate story*)

Regarding the religion-related legislation, both measures received substantial pushback from Democrats who contend they will open the door for discrimination.

The so-called Pastor Protection Act (HB 36) shields faith leaders, societies and others from civil repercussions should they refuse to solemnize marriage outside their beliefs. The plan picked up a floor amendment from Rep. Bill Seitz (R-Cincinnati) providing that in the event of a conflict between the bill and current public accommodations law, the legislation will take precedent.

Rep. Dan Ramos (D-Lorain) made a motion to lay the amendment on the table, which was turned back by Republicans. Rep. Janine Boyd (D-Cleveland Hts.) also moved to amend the item, but her motion was ruled out of order following the adoption of Rep. Seitz's change.

Sponsor Rep. Nino Vitale (R-Urbana) reiterated his belief the legislation does not target LGBTQ citizens. He painted it as an attempt to relieve the "tension" between contrasting beliefs and assure faith leaders existing protections under the Constitution will remain.

"This is not a sword," Rep. Vitale said. "This is intended to be a shield and protect everyone's rights."

But Rep. Boyd argued the legislation's scope is too broad in that it does not limit its provisions to religious groups or pastors.

"It is in essence saying that proprietors of property or services that rent to the public at large can turn away members of the LGBTQ community," she said, before the chamber endorsed the measure 59-29.

Similarly, the chamber voted 62-20 for a plan (HB 428) from Rep. Sarah LaTourette (R-Chagrin Falls) and Rep. Tim Ginter (R-Salem) that states students should be permitted to conduct religious expression and activities in schools in the same manner students may conduct secular activity or expression.

Rep. Kent Smith (D-Euclid) moved to amend the bill with language he said would label head coverings as permitted religious attire.

Rep. Ginter, however, voiced reservations, saying the change would open up "a pathway that is not the intention of this bill. There is no specificity in this bill toward any religion and that is purposeful." The GOP-dominated chamber as a whole agreed, turning away the proposed tweak 56-32.

Several Democrats spoke against the bill, including Rep. Ramos, who said the legislation is so broad it would permit shirts with messaging stating LGBTQ youth will go to hell or that Jesus is not real, or targeting specific faiths. To that, Rep. Ginter replied the school still has the authority to ban obscene or distracting clothing or activities.

Among other bills, the pharmacy legislation (HB 479) - from Rep. Scott Lipps (R-Franklin) and Rep. Thomas West (D-Canton) - requires patients to be informed of affordable prescription options. And it limits PBMs, health plans or other administrators to charging no more than what an individual would pay for a drug were it purchased without coverage.

"For too long, PBMs have used predatory practices to target consumers and independent pharmacies," Rep. Lipps said. "I am proud Ohio is taking a lead role to end these deceiving practices, while improving transparency and lowering out-of-pocket drug costs."

Added Rep. West: "Today is a happy day here in Ohio because lower prescription drug prices are on their way."

Several pieces of legislation pertained to laws related to sexual activity, including proposals prohibiting sexting by persons under 19 years of age (HB 355) and the nonconsensual dissemination of private sexual images (HB 497) or "revenge porn." Those measures passed unanimously - 85-0 and 81-0 respectively.

So too did legislation (HB 92) requiring an offender who knowingly commits public indecency to be viewed by a minor for the purpose of sexual gratification to register as a Tier 1 sex offender if ordered by a judge (80-0).

Legislation (HB 511) establishing 18 as the age at which a person can marry was also approved with wide support (78-0). The proposal provides an exception for a 17-year-old

with the consent of a juvenile court if the other spouse-to-be is not more than four years older.

"We do not allow minors to vote, to buy cigarettes or alcohol, to rent cars or apartments or to enter into other contracts yet we allow them to (marry) - one of the most important and impactful decisions of their young lives," said Rep. Laura Lanese (R-Grove City), lead cosponsor along with Rep. John Rogers (D-Mentor-on-the-Lake).

Democrats also attempted to amend a plan (HB 502) from Rep. Marlene Anielski (R-Walton Hills) that requires educators to take in-service training on youth suicide prevention every two years. Rep. Catherine Ingram (D-Cincinnati) sought to expand the bill to cover charter schools but the amendment was tabled 44-39 before the bill advanced 82-0.

The chamber also approved legislation:

- Granting civil immunity to medical providers and emergency medical technicians operating after a disaster (HB 7).
- Prohibiting certain terms from appearing in health care contracts between vision care providers and a contracting entity and establishing new disclosure requirements (HB 156).
- Establishing a regional kinship care navigator program (HB 126).
- Licensing home inspectors via the proposed Home Inspector Board (HB 211).
- Designating the month of April as "Respect Your Date Month" and requiring higher education institutions to adopt a policy regarding dating and domestic violence (HB 240). The chamber approved an emergency clause 75-6.
- Including search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal (HB 349).
- Prohibiting consumer credit reporting agencies from charging a fee to freeze a consumer's credit report or to remove or temporarily lift a freeze (HB 386).
- Exempting police body camera and dashboard footage from public record laws under certain circumstances, such as if it depicts the identity of a child or the victim of a sex crime (HB 425).
- Authorizing a nonrefundable insurance company tax credit for contributing capital for transformational mixed use development construction (HB 469).
- Requiring the Department of Agriculture to regulate multi-parcel auctions (HB 480).

- Enacting a myriad of township changes including: increasing the obligations a board of township trustees may authorize its officers to incur, permitting a township to require reimbursement of emergency services levy revenue foregone because of the creation of a tax increment financing incentive district, and more (HB 500).
- Requiring the development and adoption of a new framework for teacher and administrator evaluations (HB 540).
- Permitting county prosecutors to enter into contract with regional airport authorities, port authorities or a regional planning commission as a legal adviser (HB 543).
- Requiring the Public Employees Retirement System Board to grant a full year of service credit to qualified members employed as nonteaching school employees of a county board of development disabilities (HB 572).
- Revising the probate process through various changes including disqualifying a person convicted of involuntary manslaughter from benefiting from the victim's death (HB 595).

Senate Passes Measures Focused On Reducing Regulations

A pair of legislative efforts to rein in regulations cleared the Senate Wednesday, with Republicans saying the proposals would make life easier for businesses.

Democrats said the two measures were arbitrary efforts to reduce agency rules that don't get at the issue of targeting unneeded regulations and could reduce important oversight.

One of the items (SB 293) cleared the Senate Transportation, Commerce and Workforce Committee earlier Wednesday after the panel replaced it with a substitute version to apply the regulation-cutting mandate more broadly across state departments, rather than to individual agencies. (*See committee listing*)

As a result of the changes, the legislation would require departments overall to cut regulations by 30%, sponsor Sen. Bob Peterson (R-Sabina) said. It would also create a website where individuals and businesses can report burdensome regulations to the Joint Committee on Agency Rule Review.

"We need to know how many restrictions we have, we need to systematically review them, and we need to revisit the rules that are unnecessary," Sen. Peterson said.

Majority Republicans tabled an amendment from Sen. Charleta B. Tavares (D-Columbus) that would have eliminated the 30% reduction requirement.

"This amendment calls for them to reduce restrictions without placing the arbitrary requirement," she said. "This amendment calls on state agencies to inventory what regulations exist."

Sen. Peterson said the amendment was unnecessary because JCARR can already grant departments exemptions for certain rules.

Lawmakers can also work to reduce regulations by avoiding situations where legislation leaves the details to be sorted out by agencies, said Sen. Lou Terhar (R-Cincinnati).

"The real issue here is how many things do we and our predecessors punt on and let it go to an agency rather than making a decision," he said.

Sometimes that's appropriate, said Sen. John Eklund (R-Chardon).

"Sometimes it's an acknowledgement or a willingness to acknowledge that there are experts in the administration of the government" with more expertise than lawmakers, he said.

The measure passed along party lines.

The other effort targeting regulations (SB 255) focused on occupational licensing. Sponsor Sen. Rob McColley (R-Napoleon) said it would create a process to review the state's occupational licensing requirements every five years.

"Frankly it's costing Ohioans the ability to earn a living and it's costing Ohioans the opportunity to contribute to our economy," he said of excessive licensing requirements.

Sen. Joe Schiavoni (D-Boardman) said lawmakers should consider issues with occupational licenses and fix them rather than creating a complicated process to routinely review the need for them.

Senate President Larry Obhof (R-Medina) said he thought the government has gotten "too big, too unwieldy."

"Too much of our authority has been usurped or given away over the years by legislators who thought it was easier to punt rulemaking authority," he said.

The measure passed 24-8.

The chamber unanimously passed a measure (SB 119), known as Daniel's Law, intended to ensure patients using naltrexone, a medication-assisted treatment also known as Vivitrol, can get an emergency dose from a pharmacy in certain emergency situations.

"When in a pinch, patients will have access to every pharmacy in the state of Ohio to act as a trampoline back into the system when the system fails," sponsor Sen. Bob Hackett (R-London) said.

Also advancing in the chamber were measures to:

- Provide a definition for an insurance rating agency (SB 273).
- Modify controlled substances laws with the Board of Pharmacy, including placing the list of controlled substances in rule rather than statute (SB 229).
- Urge Congress to support the creation of the Appalachian storage hub (SCR 21).
- Call on Congress to end certain mandates and emphasize the importance of federalism and the 10th Amendment (SCR 23), which passed 25-7.

Bills Amended To Enhance Online School Oversight Head To Governor

The House and Senate on Wednesday approved separate measures that were amended this week to include multiple e-school reforms and sent them to Gov. John Kasich for his signature.

While Rep. Keith Faber (R-Celina) and Rep. Bill Reineke (R-Tiffin) introduced legislation (HB 707) on the topic last week, lawmakers quickly sought alternative pathways to get some of its provisions passed sooner rather than later. The actions by the chambers achieve a goal set Speaker Ryan Smith (R-Bidwell) of pushing forward with legislation aimed at improving the state's online schools ahead of summer recess. (See Gongwer Ohio Report, June 25, 2018)

Sen. Peggy Lehner (R-Kettering), chairwoman of the Senate Education Committee said lawmakers from both chambers came to an agreement ahead of Wednesday's session that certain portions from the measure would be split among a bill (HB 87) under consideration in the Senate and another (SB 216) under consideration in the House.

"You really have to look at these two bills together," she said.

The original intent of HB 87 was to clarify that funding must be returned to local school districts when an audit of a charter school leads to a finding for recovery, while SB216 is an overhaul measure that makes dozens of changes to the state's K-12 education system.

The upper chamber passed HB 87 by a vote of 30-2 with Sen. Joe Schiavoni (D-Boardman) and Sen. Michael Skindell (D-Lakewood) voting in opposition. The House concurred in Senate amendments by a vote of 70-22.

The Senate Education Committee earlier in the day amended HB 87 to create a "safe harbor" for schools that grew by 20% from taking in former Electronic Classroom of Tomorrow students from certain accountability measures, including closure. The House Education & Career Readiness Committee on Tuesday accepted a similar amendment to SB 216 that set the threshold at for the threshold for the safe harbor at 10%. (See Gongwer Ohio Report, June 26, 2018)

Sen. Schiavoni said he cast his vote against the measure because the safe harbor provision could shield poorly performing schools from accountability.

"My concern is that by putting an amendment like this in the bill we might be creating another ECOT," he said.

Sen. Lehner said another amendment passed in the Senate committee clarifies that the safe harbor will not protect schools that would have faced closure before considering the performance of students taken in from the now-shuttered e-school.

"We are not excusing bad performance of any school," she said.

Sen. Lehner said another Senate amendment to HB 87 dealing with e-schools would require the superintendent of public instruction to set guidelines for activity-tracking software to be used by online charter schools.

Another amendment "would remove a significant conflict of interest" regarding the state auditor's office and payments by online schools, she said.

"Currently, amounts payable may be reduced according to policies determined both by the superintendent of public instruction and the auditor of state," she said. "This amendment will change the statute to require the (superintendent) to establish these policies in consultation with the (auditor) instead, so that the auditor is not put in a position to establish policies they may later audit."

Sen. Lehner said other amendments adopted by her committee that are not focused on e-schools would:

- Give school districts an additional year to put a substitute levy on the ballot.
- Clarify that only a superintendent or school board president can sign contracts and other employment documents related to the district's treasurer or his or her family members.
- Allow school districts and other public employers to "collectively contract for health clinic services."

The committee also adopted an amendment Sen. Randy Gardner (R-Bowling Green) said would prohibit the state from requiring local school boards to submit five-year

financial forecast before Nov. 30. The provision mirrors one added to SB 216 in committee Tuesday.

The House passed SB 216 by a vote of 60-32 after accepting two amendments. The Senate concurred in House amendments by a vote of 28-1 with Sen. Edna Brown (D-Toledo) in opposition.

Rep. Andy Brenner's (R-Powell) amendment required a study of school takeovers be sent to the Joint Education Oversight Committee for further review after its completion. The House accepted the amendment by a vote of 62-28.

A floor amendment offered by Rep. Jeff Rezabek (R-Clayton) and accepted by a vote of 61-28 stripped a provision from the law that would have revised the state's standard for what an "excessively absent" student is by excluding excused absences. Under existing law, a student is "excessively absent" when they miss 38 or more hours in a month or 65 or more hours in a year whether the absences were excused or not.

The House Education & Career Readiness Committee on Tuesday reported SB 216 along party lines after accepting several amendments, including one with multiple provisions aimed at e-school reform. The amendment was inspired by HB 707, which in turn took cues from recommendations offered by Auditor Dave Yost.

The amendment would require the superintendent of public instruction to craft recommended definitions for the state to adopt regarding e-school enrollment and participation and create a committee to study the potential of student-performance, among other provisions.

Sen. Lehner said she views the creation of the committee as one of the most important provisions in the two pieces of legislation.

"The study committee is the most important part of that because that's going to (lead to) more substantive long-term reforms than some of the more minor (provisions)," she said.

Rep. Teresa Fedor (D-Toledo) said the online school provisions the committee added to SB 216 need more vetting, but were being rushed into law to provide "political cover" for Republicans in the wake of the closure of the ECOT. After ECOT shut its doors in January, Auditor Yost referred his office's audit of the school for potential prosecution. (See Gongwer Ohio Report, May 10, 2018)

"I'm sorry to say this bill has been hijacked," she said.

She was gavelled out of order by Speaker Smith when she likened ECOT's funding, which is the subject of clawback efforts by the state, to an ATM for Republican campaign committees.

The panel and later the full Senate rejected an amendment offered by Sen. Schiavoni that would have set additional guidelines for e-schools. He said the change would have

required an in-person parent teacher conference to be scheduled if a student doesn't log in for 10 days and the addition of disclaimers on e-school advertisements noting if they were paid for with public money and what grades the school had received from the state, among other changes.

"We have to have additional accountability and transparency," he said.

Sen. Lehner opposed the amendment but said she agreed with Sen. Schiavoni that the state's work on updating standards for online schools is not done.

The Senate also tabled an amendment offered by Sen. Schiavoni that would have extended eased graduation requirements put in place for the class of 2018 for the next two school years. The House Education & Career Readiness Committee rejected an amendment with the same effect offered by Rep. Tavia Galonski (D-Akron) Tuesday.

Before passing SB 216, the House tabled an amendment offered by Rep. Galonski that would have appointed a special investigator in the ECOT case.

Rep. Brenner said he viewed the amendment as premature because ECOT still has an appeal before the Ohio Supreme Court related to purported overpayments the State Board of Education voted to claw back from the school, leading to its closure.

Democrats later ripped majority Republicans for refusing to add additional accountability provisions to the bill, saying it gives a "free pass to Ohio's out-of-control charter schools" and elected officials.

"This is a politically motivated bill to give the same GOP politicians who used ECOT and charter school sponsors to bankroll their campaigns a free pass on taking responsibility for the mess they created," Rep. Galonski said.

Sen. Matt Huffman (R-Lima), SB 216's primary sponsor, said crafting and passing the substantial bill involved a lot of give and take among lawmakers and interested parties.

He listed the House's changes, saying he did not agree with all of them but that the bill retains the goal that superintendents had when they suggested the package to him several months ago - that is, eliminating unnecessary and burdensome regulations.

"This is a product of about 15 months-worth of work with a lot of good things in it," he said.

State Auditor Dave Yost issued a statement Wednesday evening welcoming passage of the measures.

"The legislation approved by the General Assembly today addresses some of the weaknesses my office has pointed out for years that limited the state's ability to demand full accountability from online schools and operators," he said. "While we were not

successful in gaining passage of all reforms we believe are needed, these changes will make a significant difference."

Senate Panel Delays Vote On Energy Standards, Wind Setback Bill

A Senate committee Wednesday held off on a potential vote on controversial legislation to lower the renewable and energy efficiency standards, with lead negotiators telling interested parties they are "very close" to a final product.

The closely-watched measure (HB 114) was scheduled for its eighth hearing before the Senate Energy & Natural Resources and marked for possible amendments and a vote.

But the proposal was ultimately not heard, with Chairman Sen. Troy Balderson (R-Zanesville) and Sen. Bill Beagle (R-Tipp City) instead briefing stakeholders in attendance of their progress on the bill and promising "the bill's not dead."

"It's closer (to passing) than it's been for a while," Chairman Sen. Troy Balderson (R-Zanesville) said in an interview.

The measure began as a House effort to render the standards voluntary and expand the mercantile opt-out. That followed Gov. John Kasich's 2016 veto of a similar, but less far-reaching measure (HB554, 131st General Assembly).

Senators in May then accepted a substitute version that restored the mandatory nature of the standards, although it still lowers the renewable standards to 8.5% by 2022 instead of current law's 12.5% by 2026 and the efficiency standards to 17.2% by 2026 instead of the current 22.2% by 2027. It also loosens wind setback restrictions that advocates accused of stifling the industry - a prospect House leaders have expressed reluctant to accept in the past. (See Gongwer Ohio Report, May 16, 2018)

More changes are likely, as the lawmakers court support within their caucus and among stakeholders. Sen. Beagle said they're still sorting through feedback following the most recent changes - including those related to the mercantile opt-out, the wind setbacks and energy efficiency benchmarks.

"At this point, anytime you amend something everything's kind of tight so if we move a little bit here we need to understand what the ramifications are over there and that's just taking time," Sen. Beagle said. "We want to make sure we get this right. It's been an issue we've been talking about for a long time and it's been in the chamber a while. We'd rather take some time to make sure we get the best bill we can before we send it over to the House."

Sen. Balderson said talks continue with the Kasich administration over the renewable standards proposed by the current bill.

"The administration is aware of our number," he said. "While they are not satisfied with it, we continue to have positive discussions on a number of other areas we can all agree upon."

A Kasich spokesman declined to comment on the pending legislation.

At the same time, both said they haven't gone out of their way to keep their House counterparts in the loop on discussions. Although the legislation in its current form is likely to face a steeper climb in the lower chamber, the senators said their principal concern is mustering up enough support within their own caucus.

"We're really kind of focused on making sure we have enough votes in the Senate," Sen. Beagle said. "We're really focused on getting a product we can get out hopefully on a bipartisan basis and that's tough enough."

Added Sen. Balderson: "Once we have our numbers here that we need in the Senate, then we'll focus on the House. They're aware...so there's no reason for (Sen. Beagle) and I to be sitting down in front of them."

Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing

Nearly a year removed from a thrill ride breakdown at the Ohio State Fair that killed 18-year-old Tyler Jarrell and injured several others, the House took up legislation to tighten regulation of inspections overseen by the Department of Agriculture.

Sponsored by Rep. John Patterson (D-Jefferson) and Rep. Jim Hughes (R-Columbus), the measure would revise current safety inspection standards, define the qualifications for inspectors, and require owners to maintain current records for all their amusement rides.

Rep. Patterson told members of the House Agriculture & Rural Development Committee that the measure, while inspired by the tragedy, is about looking ahead "to better ensure the safety of Ohioans for years to come by revisiting current legislation to provide a more robust approach to ride safety and inspection."

The sponsors pointed out that while the rides have become more prevalent, diverse and complicated over the years, the number of Ohio inspectors has remained fairly constant.

Rep. Hughes said the bill focuses on ride inspections in two ways.

"First, it expands the Director of Agriculture's rule-making authority regarding amusement ride safety. Specifically, it requires a minimum number of inspectors be assigned to inspect a ride, ensuring that number is reasonable and adequate given the size, complexity, and nature of the ride," he said. "Second, it requires the Director to adopt the standards of the American Society for Testing and Materials, or any other equivalent standards, in whole. Current law does not require the Director to adopt these standards, neither in whole or part."

The measure also addresses the qualifications for newly hired inspectors, Rep. Hughes said. "The bill requires the Director, when employing a new Chief Inspector or an additional amusement ride inspector, to give preference to individuals who are registered professional engineers. If no registered professional engineer seeks employment as an inspector, the Director must give preference to individuals who have been issued a level one or higher inspector certification from the National Association of Amusement Ride Safety Officials."

Those restrictions would be forward-looking and not impact those currently employed as inspectors, he said.

The bill would retain the current law requirement that the ODA director provide necessary training for inspectors to administer and enforce the laws governing amusement ride safety. "Similarly, the bill still allows the director to appoint or contract other persons to perform inspections of amusement rides, provided that they meet the qualifications for inspectors and are not owners, or employees of any amusement ride subject to inspection," Rep. Hughes said.

The record-keeping mandates in the bill would apply to electronic manuals for each amusement ride that is inspected in Ohio, if available, and the ODA director may require the owner to also include "detailed written descriptions or photographs of all maintenance, repairs, and inspections in the record," Mr. Hughes said.

"Finally, HB631 prohibits ride owners from knowingly failing to keep a record or knowingly failing to make records available to the Department or ride inspector, and it imposes a fine of \$100 to \$500 for a violation of the prohibition. While current law requires an owner to keep records and make them available for inspection, it does not establish a specific penalty for failure to do so," he concluded.

Asked about the extent of the potential fines, Rep. Patterson said they could apply to every ride that's out of compliance or it could depend on the circumstances. He said the sponsors wanted to leave some discretion for ODA to develop more specific guidelines under the bill.

"We don't want the money," Rep. Hughes added. "We want them to be safe."

Rep. Kyle Koehler (R-Springfield) questioned whether the provisions would have prevented last year's failure of the Fire Ball ride.

"It definitely would have helped the situation, but what we're trying to do is prevent another occurrence of this in the future," Mr. Patterson said.

The sponsor told Rep. James Hoops (R-Napoleon) that the requirements would apply to all rides operated in the state, including those at county fairs and other events.

Chairman Rep. Brian Hill (R-Zanesville) raised the issue of funding for additional inspection duties and also noted that a review of the incident did not result in any punitive actions against state inspectors.

Rep. Jack Cera (D-Bellaire) said consideration must be given to ODA's budget if the bill is enacted.

Mr. Hughes said there have been communications with the agency regarding the proposals and further meetings with the agency are planned.

ODA spokesman Mark Bruce said the agency typically doesn't comment on pending legislation.

"The department has had discussions about possible ways to strengthen Ohio's already robust amusement ride safety program," he said in an email.

High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement

Organized labor was dealt a major blow Wednesday by the U.S. Supreme Court.

In a highly anticipated decision, the court in a 5-4 ruling held that non-union workers cannot be forced to pay fees to public sector unions.

Writing for the majority, Justice Samuel Alito found the requirement that non-union employees pay "agency fees" to the collective bargaining unit runs afoul of free speech protections.

"This procedure violates the First Amendment and cannot continue," Justice Alito wrote. "Neither an agency fee nor any other payment to the union may be deducted from a nonmember's wages, nor may any other attempt be made to collect such a payment, unless the employee affirmatively consents to pay. By agreeing to pay, nonmembers are waiving their First Amendment rights, and such a waiver cannot be presumed."

He was joined in his opinion by Chief Justice John Roberts, Justice Clarence Thomas, Justice Neil Gorsuch and Justice Anthony Kennedy, considered the swing vote on the court and who announced his retirement Wednesday.

The decision overturns a 1977 high court ruling that upheld the practice as constitutional.

"We recognize that the loss of payments from nonmembers may cause unions to experience unpleasant transition costs in the short term, and may require unions to make adjustments in order to attract and retain members. But we must weigh these disadvantages against the considerable windfall that unions have received under *Abood* for the past 41 years," Justice Alito wrote.

"It is hard to estimate how many billions of dollars have been taken from nonmembers and transferred to public-sector unions in violation of the First Amendment. Those unconstitutional exactions cannot be allowed to continue indefinitely."

Statements for and against the decision poured in swiftly.

Ohio Republicans were largely silent on the ruling. However, the Buckeye Institute cheered the decision.

"The Supreme Court today in *Janus v. AFSCME* announced its basic rule of human decency and common sense: consent matters - and hardworking public-sector workers can no longer be forced to pay for political speech or other activities without their affirmative consent," President and CEO Robert Alt said in a statement.

The American Legislative Exchange Council also hailed the ruling.

"Today's Janus decision overturns a precedent set 41 years ago. This will allow workers to keep their pay, they will no longer be forced to pay fees that support a union's collective bargaining efforts and administrative work," said Robert Ordway, Director of the Commerce, Insurance and Economic Development Task Force at ALEC.

The court's liberal justices dissented in the decision, with Justice Elena Kagan writing that the majority's holding will lead to "a collective action problem of nightmarish proportions."

Among the repercussions of the decision, she predicted that it will lead to a decline in public sector unionization.

"Everyone - not just those who oppose the union, but also those who back it - has an economic incentive to withhold dues; only altruism or loyalty - as against financial self-interest - can explain why an employee would pay the union for its services," she wrote in a dissent joined by Justice Ruth Bader Ginsburg, Justice Stephen Breyer and Justice Sonia Sotomayor.

She also accused the majority of "weaponizing the First Amendment, in a way that unleashes judges, now and in the future, to intervene in economic and regulatory policy."

Several Democratic lawmakers blasted the decision in statements, as did unions. Jay McDonald, president of the Ohio Fraternal Order of Police, said the group is "confident that our membership understands the value of belonging to the FOP and we will continue to work hard to keep their trust."

Ohio AFL-CIO President Tim Burga said "billionaires and corporate special interests that have manipulated our system of justice have succeeded in getting the highest court in the land to do their bidding."

The Ohio Federation of Teachers and the Ohio Education Association also spoke out. OFT President Melissa Cropper said the decision will lead to greater activism among her members.

"This decision today is a momentary triumph for the wealthy special interests who backed this lawsuit," she said. "But the voices of working people will not go unheard. And unions, such as ours, remain the best way to make sure decision-makers - at work or in the halls of government - are listening."

The Ohio Civil Service Employees Association said the decision "will only further rig the economy in favor of the wealthy and corporate interests."

OAPSE Executive Director Joe Rugola called the decision political.

"Justice Alito even says in his opinion that unions are powerful and get things done for our members," he said. "That's what the anti-union forces are afraid of: that our collective voice on behalf of workers will mean better pay and benefits for working people."

Kennedy Retirement: Justice Kennedy announced his retirement Wednesday, paving the way for Republicans to move the court in a decidedly rightward direction, a fact that was not overlooked by many, including Ohio Right to Life, which predicted the overturning of *Roe v. Wade*.

"Moments like these are why pro-life Americans elected President Donald Trump," President Mike Gonidakis said. "He has the historic opportunity to add a justice who will serve as the fifth pro-life vote on the court. Ohio Right to Life's goal has always been to overturn *Roe v. Wade* and to see the end of abortion, which has killed 60 million American children in the last 45 years."

NARAL Pro-Choice Ohio Executive Director Kellie Copeland expressed concern that the next right-leaning appointee would be in a position to overturn the "constitutional right to access abortion."

"Americans have had their rights stripped away by the US Supreme Court, thanks in part to a stolen seat that should have been filled by President Barack Obama," she said. "Women, union members, and immigrants all were harmed by decisions handed down just this week. We need a court that protects and respects rights, not one that pushes the political agenda of Donald Trump, Mike Pence and their ultra conservative cronies."

U.S. Rep. Bill Johnson (R-Marietta) encouraged his upper chamber colleagues to act quickly on filling the court opening.

"I encourage President Trump to nominate a qualified jurist from the list of potential Supreme Court judges he unveiled during his presidential campaign - someone who will interpret the Constitution as written, rather than legislating from the bench," he said.

"Whoever ends up filling this vacancy will play a major role in the future of the high court."

Justice Kennedy plans to step down at the end of July, and U.S. Senate Majority Leader Mitch McConnell (R-KY) said he plans to hold a vote on a replacement this fall.

The White House in a statement provided no timeline on choosing the justice's successor and instead focused on his service.

"A Californian - like the president who appointed him - Justice Kennedy is a true man of letters," the statement read. "During his tenure on the court, he authored landmark opinions in every significant area of constitutional law, most notably on equal protection under the law, the separation of powers, and the First Amendment's guarantees of freedom of speech and religion."

Chairman: Senate Looking For Balance With Payday Lending Measure

Two weeks in the Senate wasn't enough time to resolve the complex issues surrounding payday lending law revisions, and interested parties will keep talking on a compromise, a key lawmaker guiding the process said Wednesday.

Sen. Scott Oelslager (R-N. Canton) made the comments following a meeting of the Senate Finance Committee, which he chairs. The panel heard some additional testimony before a surprise attempt by the ranking minority member to move it forward.

The chairman previous said he didn't intend to take any amendments or call a vote on the proposal (HB 123) this week, but Sen. Michael Skindell (D-Lakewood) made a motion to report the measure before the meeting could be adjourned.

After committee members were called back from other meetings, majority Republicans voted on party lines to table Sen. Skindell's motion.

Sen. Oelslager said he and many members of the committee are still unsure what direction they would like to see the bill go, whether that entails the way it's written, or with some or all of the recommendations made by Sen. Matt Huffman (R-Lima). (See Gongwer Ohio Report, June 26, 2018)

"We also want to make sure that the interested parties have a chance to keep talking," he said after the meeting. "It's a very complicated issue. We want to make sure there's a balance between the person offering the loan and the person taking out the loan."

Sen. Skindell's move came after Nick Bourke, director of consumer finance for the Pew Charitable Trusts, asked senators to advance the proposal as written.

"I urge this committee to take a vote," he said. "Vote on HB123 as passed by the House. Or make a few sensible amendments to HB123 as we've discussed and vote on that. Even if it fails, we will know where this process stands."

Mr. Bourke, who has testified several times on the measure, told the committee they have three options in front of them: an overhaul of regulations such as HB123, the complete elimination of high-interest lending, and the status quo.

The proposals from Sen. Huffman, he said, would preserve the status quo.

"It is not reform because it does not solve the problems for consumers and it would cost the small number of payday lenders who enjoy the status quo today virtually nothing," he said.

Sen. Oelslager asked if the proposal is worse than the current law for lenders, and Mr. Bourke said it would have no change.

Mr. Bourke also said lawmakers could propose to ban high-interest loans entirely.

Sen. Bill Coley (R-Liberty Twp.) said the 2008 regulation constituted an attempt to ban high-interest loans.

"Ten years ago, when the legislature and then the voters of Ohio dealt with the legislation, that was a ban bill in the state of Ohio," he said. "Is the House-passed version of HB123 a ban bill?"

Mr. Bourke said it's a reform effort and would still allow companies to operate.

"I've spoken with companies that used to operate in Ohio before 2008 that left Ohio because they did not want to operate in a loophole," he said.

The panel also heard from Ashish Gandhi, owner of Cash Plus Silverton, who praised Sen. Huffman's plan.

"I believe that Senator Huffman's plan was very well thought out and mathematically intelligent," he wrote. "He was magically able to give all sides what they were asking for. His plan lowers the APR that critics insisted on. His plan lowers the daily cost of a loan to less than a cheap cup of coffee at a gas station. His plan allows for a plethora of options for both consumers and businesses."

The original version of the legislation is "extreme, poorly written and not workable," he said.

Sen. Huffman's plan is not exactly what the industry would have wanted, but would allow businesses to stay in place, he said.

Prosecutors Praise Beefed Up Parole Monitoring Bill

A bill to revise parole monitoring procedures has the potential to save lives, members of a Senate panel were told Wednesday.

The legislation (SB 202) is named after Reagan Tokes, who was murdered by Brian Golsby shortly after his release from prison.

Lou Tobin, executive director of the Ohio Prosecuting Attorneys Association, said the legislation "will fill the gaps in the way the state manages offenders who are released from prison."

Among the bill's provisions, it would create reentry programs to ensure that those released from prison are not homeless and require restrictions to be placed on those who are on post-release control and fitted with GPS monitoring devices.

It would also require the state to create a database of GPS data that would be available to law enforcement officials when investigating crimes. Another portion of the legislation would focus on ensuring parole officer caseloads are not too large.

"Brian Golsby was released into homelessness and with a GPS monitor that did not establish zones within which he was allowed to move," Mr. Tobin told members of the Senate Government Oversight & Reform Committee. "It was subsequently discovered he committed at least six violent robberies, prior to his encounter with Reagan, all while being 'monitored.' The state must do more to address the circumstances that led to this."

William Parker of the American Court & Drug Testing Services said GPS monitors are essentially useless without guidelines and restrictions.

"GPS technology can do much, much more than simply provide the current location of someone wearing the ankle bracelet. Using easily programmable curfews, inclusion and exclusion zones and daily schedules, the technology can alert us immediately if the defendant is not where they are supposed to be when they are supposed to be there," he said.

"The technology can alert us immediately if the defendant moves into a neighborhood where his or her presence represents a threat to a person or community. It can notify us immediately if the defendant removes the bracelet or fails to charge the bracelet. But, the effective use of this technology requires more than satellites, cellular signals and computer applications."

Phyllis Carlson-Riehm of the ACTION OHIO Coalition For Battered Women also provided written testimony in support of the measure.

"We all know that Ohio's prisons are full to overflowing and the costs are enormous," she wrote. "We all know that prison reforms are long overdue to reduce the number of non-violent inmates and move them into meaningful community corrections programs and rehabilitated lives."

"But at the same time we must not fail to strengthen Ohio laws to hold violent repeat felons responsible for the multiple crimes that they commit and stop the needless human tragedies that are happening to many Ohio families."

Companion legislation (HB 365) - that also deals with indeterminate sentencing - cleared the House earlier this month. (See Gongwer Ohio Report, June 20, 2018)

Senate Releases Session Calendar

The Senate could hold full sessions as many as 14 days during the second half of the year, according to a schedule released by Senate President Larry Obhof (R-Medina) on Wednesday.

The calendar sets if-needed sessions for July 10 and August 22. Three potential session dates are set for September.

Nine possible dates are scheduled for November and December, which would represent the chamber's post-election session.

The House has yet to release its schedule for July through December.

All session dates are available in Gongwer's full legislative schedule, where the meetings can be synced with Outlook calendars.

Governor's Appointments

Opportunities for Ohioans with Disabilities Council: Kimberly S. Monachino of Twinsburg for a term beginning June 27, 2018, and ending June 1, 2019 and Margie Hegg of Upper Arlington for a term beginning June 27, 2018, and ending June 1, 2020.

Supplemental Agency Calendar

Thursday, June 28

Business Gateway Steering Committee, 30 East Broad Street, Room 2925, Columbus, 1 p.m.

Supplemental Event Planner

Friday, August 3

Sen. Sandra Williams (D-Cleveland) fundraiser, FOP Hall, 2249 Payne Ave., Cleveland, 5 p.m., (\$200 (table); \$20 (friend) to Friends of Sandra Williams)

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House Activity for Wednesday, June 27, 2018

PASSED

SB 66 ■

CRIMINAL LAWS (Eklund, J., Tavares, C.) To modify criminal sentencing and corrections law by including the promotion of effective rehabilitation as a purpose of felony sentencing, removing the one-year minimum for presumptive fourth or fifth degree felony community control sanctions, modifying sanctions for a violation of a community control condition, modifying the manner of calculating confinement credits, modifying eligibility criteria and procedures for granting pre-trial diversion and intervention in lieu of conviction, making offenders convicted of certain multiple fourth or fifth degree felonies eligible for conviction record sealing, revising procedures for the Adult Parole Authority to grant a final release or terminate post-release control, and modifying the criteria for considering a prison term sanction for a post-release control violation; to extend the State Highway Patrol's authority to enforce criminal laws to also apply to the Northeast Ohio Correctional Center; to modify the penalty for an employer's failure to remit state income taxes withheld from an employee; and to authorize the conveyance of state-owned real estate.

84-2 (Edwards, Schaffer) (Amended)

Gongwer Coverage

SB 81 ■

FIREARMS (Terhar, L.) To waive the concealed carry license fee for active members of the armed forces and retired and honorably discharged veterans, to accept military experience with firearms as proof of competency with firearms regardless of when the applicant for a license acquired the experience, to permit a licensee to renew a concealed handgun license at any time before the expiration of the license, and to require the Attorney General to monitor the number of license fees waived and cap the total amount allowed to be waived at \$1.5 million.

76-6

Gongwer Coverage

SB 127 ■

WASTE COLLECTION VEHICLES (LaRose, F.) To require motor vehicle operators to take certain actions upon approaching a stationary waste collection vehicle collecting refuse on a roadside.

84-0

Gongwer Coverage

SB 216 ■

SCHOOL REGULATIONS (Huffman, M.) To enact the "Ohio Public School Deregulation Act" regarding the administration of preschool and primary and secondary education programs, to add the territory of Summit County to the Stark State College District, and to prescribe procedures for appointing the board of trustees of the combined technical college district.

60-32 (Amended)

Gongwer Coverage

SB 220 ■

CYBERSECURITY (Hackett, B., Bacon, K.) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program, to allow transactions recorded by blockchain technology under the Uniform Electronic Transactions Act, and to alter the definition of "key employee" under the Casino Gaming Law.

62-21 (Earlier REPORTED-AMENDED)

Gongwer Coverage

SB 221 ■

AGENCY RULEMAKING (Uecker, J.) To reform agency rule-making and legislative review thereof.

73-19 (Earlier REPORTED-AMENDED)

Gongwer Coverage

SB 239 ■

REGIONAL GOVERNMENT COUNCILS (Dolan, M.) To modify the law concerning regional councils of governments to clarify that a municipal corporation eligible to designate a tourism development district may designate more than one district, to specify that the American Law Institute's approved "Restatement of the Law, Liability Insurance" does not constitute the public policy of Ohio, to designate a portion of U.S. Route 33 in Meigs County as the "Steve Story Memorial Highway," to designate a portion of Interstate Route 270 in Franklin County as the "Officers Anthony Morelli and Eric Joering Memorial Highway," and to designate the portion of U.S. Route 24 in Henry County as the "Henry County Veterans Highway."

88-0

Gongwer Coverage

SB 299 ■

WATER IMPROVEMENTS (Gardner, R., O'Brien, S.) To credit additional amounts of the Local Government Fund to fund public safety services in areas that experienced a 30% or more decrease in the taxable value of certain power plants between 2016 and 2017, to phase out the payments

over ten years, to increase the appropriation to the Local Government Fund; to support broadband development; to establish the OhioCorps Pilot Project; and to make appropriations, including appropriations for the protection and preservation of Lake Erie and the National Guard Scholarship Program.

88-0 (Amended)

Gongwer Coverage

HB 7

MEDICAL PROVIDER IMMUNITY (Cupp, R.) To grant qualified civil immunity to certain medical providers and emergency medical technicians who provide emergency medical services as a result of a disaster and through its duration; to provide that certain communications made regarding an unanticipated outcome of medical care, the development or implementation of standards under federal laws, and an insurer's reimbursement policies on health care are inadmissible as evidence in a medical claim; to specify the manner of sending a notice of intent to file a medical claim and provide a procedure for the discovery of other potential claims within a specified period after the filing of a medical claim; to provide civil immunity to certain medical providers regarding the discharge of a patient with a mental condition that threatens the safety of the patient or others; to permit access to peer review committee documents during authorized inspections by the Director of Health while preserving their confidentiality; and to clarify the definition of "medical claim."

71-16

Gongwer Coverage

HB 36

MARRIAGE CEREMONIES (Vitale, N.) To provide that an ordained or licensed minister or religious society is not required to solemnize a marriage and a religious society is not required to allow any building or property of the religious society to be used to host a marriage ceremony if the marriage does not conform to the ordained or licensed minister's or religious society's sincerely held religious beliefs, to provide that an ordained or licensed minister or religious society is not subject to civil or criminal liability for such a denial, and to provide that the state and political subdivisions may not penalize or withhold benefits to an ordained or licensed minister or religious society for such a denial.

59-29 (Amended)

Gongwer Coverage

HB 92

PUBLIC INDECENCY (Schaffer, T.) To require an offender who knowingly commits the offense of public indecency under certain circumstances involving exposure of private parts likely to be viewed by minors and for the

purpose of sexual arousal or gratification to register as a Tier I sex offender/child-victim offender if the judge orders registration.

80-0

Gongwer Coverage

HB 126 ■ **KINSHIP CAREGIVERS (Boyd, J., Rezabek, J.)** To require a region-based kinship care navigator program, and to make an appropriation.

82-0

Gongwer Coverage

HB 156 ■ **VISION CARE INSURANCE (Schuring, K.)** Regarding limitations imposed by health insurers on vision care services.

75-2 (Hambley & Romanchuk)

Gongwer Coverage

HB 211 ■ **HOME INSPECTORS (Hughes, J.)** To require the licensure of home inspectors, to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors, and to require realtors who recommend home inspectors to provide a list of home inspectors

74-6

Gongwer Coverage

HB 240 ■ **MONTH DESIGNATION (Barnes, J.)** To enact the "Respect Your Date Act" to designate the month of April as "Respect Your Date Month" and to require each state institution of higher education to adopt a policy regarding dating violence, domestic violence, sexual assault, stalking, and rape on campus and to declare an emergency.

Bill: 77-0; Emergency: 75-6

Gongwer Coverage

HB 349 ■ **POLICE ANIMALS (LaTourette, S.)** To increase the penalty for assaulting a police dog or horse and to include search and rescue dogs and horses in the prohibition against assaulting or harassing a police animal.

69-11

Gongwer Coverage

HB 355 ■ **SEXTING (Hill, B., Rezabek, J.)** To generally prohibit sexting by a person under 19 years of age.

85-0

Gongwer Coverage

HB 386 ■ **CREDIT FREEZES (Henne, M., Kelly, B.)** To modify the fees that a credit reporting agency can charge in relation to a credit report freeze.

82-2

Gongwer Coverage

HB 425 ■ **BODY CAMERAS (Antani, N., Craig, H.)** To provide that specified portions of peace officers' body-worn camera recordings and the infrastructure record of a public school are not public records for purposes of the Public Records Law.

88-0

Gongwer Coverage

HB 428 ■ **STUDENT EXPRESSION (Ginter, T., LaTourette, S.)** Regarding student religious expression and to entitle the act the "Ohio Student Religious Liberties Act of 2018."

62-20

Gongwer Coverage

HB 469 ■ **TAX CREDIT (Schuring, K., Patton, T.)** To authorize a nonrefundable insurance company tax credit for contributions of capital to transformational mixed use development projects.

78-0

Gongwer Coverage

HB 479 ■ **DRUG PRICE INFORMATION (Lipps, S., West, T.)** Regarding pharmacy benefit managers, pharmacists, and the disclosure to patients of drug price information.

75-0

Gongwer Coverage

HB 480 ■ **MULTI-PARCEL AUCTIONS (Hill, B.)** To establish requirements governing multi-parcel auctions.

72-0

Gongwer Coverage

HB 497 ■ **PRIVATE IMAGES** (Rogers, J., Manning, N.) To prohibit the nonconsensual dissemination of private sexual images, to require that certain property involved in the offense be criminally forfeited, and to create certain legal rights and protections of a victim of the offense.
81-0
Gongwer Coverage

HB 500 ■ **TOWNSHIP LAWS** (Carfagna, R.) To make various changes to township law.
81-0
Gongwer Coverage

HB 502 ■ **YOUTH SUICIDE** (Anielski, M.) With regard to educator inservice training on youth suicide awareness and prevention in public schools.
82-0
Gongwer Coverage

HB 511 ■ **MARRIAGE AGE** (Lanese, L., Rogers, J.) To make changes to the laws governing the ages at which persons may marry.
78-0
Gongwer Coverage

HB 540 ■ **TEACHER EVALUATIONS** (Gavarone, T., Manning, N.) With regard to teacher evaluations.
84-0
Gongwer Coverage

HB 543 ■ **COUNTY PROSECUTORS** (Perales, R., Hambley, S.) To allow a county prosecuting attorney to enter into a contract with a regional airport authority, port authority, or regional planning commission to be its legal adviser.
79-0
Gongwer Coverage

HB 572 ■ **RETIREMENT CREDIT** (Scherer, G., Howse, S.) Regarding Public Employees Retirement System service credit for services as a nonteaching school employee of a county board of developmental disabilities.

80-0

Gongwer Coverage

HB 595 ■

PROBATE LAW (Cupp, R., Rezabek, J.) Relative to procedures for a testator to file a declaratory judgment action to declare the validity of a will prior to death and the settlor of a trust to file such an action to declare its validity, exceptions to antilapse provisions in class gifts in wills and trusts, incorporation of a written trust into a will, trusts for a minor, arbitration of trust disputes, the creation of county and multicounty guardianship services boards, the coroner's disposition of person dying of suspicious or unusual death, an application for the release of medical records and medical billing records, and adding involuntary manslaughter not resulting from a felony vehicular homicide offense to the list of offenses excluding an individual from inheriting from a decedent.

78-0

Gongwer Coverage

HOUSE CONCURS IN SENATE AMENDMENTS

HB 18 ■

SPECIAL ELECTIONS (Pelanda, D., Retherford, W.) to eliminate the requirement of holding a special election to fill a vacancy in a party nomination for the office of representative to Congress under certain circumstances; to authorize local elected officers that have levied a hotel lodging excise tax, or a designee of such officers, to simultaneously hold the position of officer or member of the board of trustees of a convention and visitors' bureau without constituting incompatible offices; and to require that, upon request, county auditors, municipal fiscal officers, and their employees must share lodging tax return information with the directors of convention and visitors' bureaus operating in their counties.

67-22

Gongwer Coverage

HB 87 ■

COMMUNITY SCHOOLS (Roegner, K.) Regarding public moneys returned to the state as a result of a finding for recovery issued pursuant to an audit of the enrollment records of a community school, to clarify the time period within which a school district emergency levy or substitute levy may be renewed or replaced, to clarify the responsibilities of a school district treasurer regarding the signing or executing of certain documents, to require the State Board of Education to adopt standards for learning management software for internet- and computer-based community schools, regarding qualification for state payments by internet- or computer-based community schools, regarding joint

health and medical insurance programs by political subdivisions and county boards of developmental disabilities, regarding submission of five-year financial forecasts by public schools, and regarding the moratorium on certain provisions affecting community schools and school districts whose enrollments were affected due to enrolling students of a suspended e-school.

70-22

Gongwer Coverage

HB 263 ■

OUTDOOR DINING AREAS (Lanese, L.) To generally allow an owner, keeper, or harbinger of a dog to take the dog in an outdoor dining area of a retail food establishment or food service operation.

79-10

Gongwer Coverage

HB 312 ■

POLITICAL SUBDIVISION SPENDING (Schuring, K., Greenspan, D.) To regulate the use of credit cards and debit cards by political subdivisions, to modify the duties and powers of the Auditor of State, to specify that electronic submission of a public record request entitles the requestor to damages if the public office fails to comply with the Public Records Act, to make changes to the law governing financial planning and supervision commissions, and to authorize a property tax abatement for certain property subject to a submerged land lease and held by a municipal corporation.

91-0

Gongwer Coverage

HB 318 ■

SCHOOL RESOURCE OFFICERS (Patterson, J., LaTourette, S.) To define the necessary qualifications and responsibilities of school resource officers, to require the Facilities Construction Commission to study and report on school building security upgrades and to make an appropriation.

69-20

Gongwer Coverage

HB 336 ■

LICENSE FEES (Barnes, J., Greenspan, D.) To prohibit the imposition of driver's license and temporary instruction permit reinstatement fees in specified circumstances and to name this act the Reinstatement Fee Amnesty Initiative.

84-6

Gongwer Coverage

HB 347 ■ **ROAD NAMING** (Kelly, B., Dever, J.) To designate multiple memorial highways.

91-0

Gongwer Coverage

CONFERENCE REPORT ADOPTED

SB 1 ■ **DRUG OFFENSES** (LaRose, F.) To increase penalties for drug trafficking violations, drug possession violations, and aggravated funding of drug trafficking when the drug involved in the offense is a fentanyl-related compound, except for drug possession violations when the fentanyl-related compound is combined with marijuana or a Schedule III, IV, or V controlled substance and the offender did not know of the fentanyl content; to revise the manner of determining sentence for certain violations of the offense of permitting drug abuse; and to add lisdexamfetamine to the list of schedule II controlled substances.

59-10

Gongwer Coverage

HOUSE SPEAKER'S APPOINTMENTS

Community & Family Advancement Committee: Remove Rep. Brinkman, appoint Rep. Greenspan

COMMITTEE HEARINGS

Agriculture & Rural Development

HB 560 ■ **PET FOOD** (Lanese, L.) To prohibit pet food from containing remains from an animal that was euthanized by the use of any drug injected intravenously or through another nonvascular route or remains from any dog or cat.
(CONTINUED; 1st Hearing-Sponsor)

Rep. Laura Lanese (R-Grove City) said her measure "will provide pet owners some assurance that their pet food does not contain the remains of other cats and dogs and that it does not contain pentobarbital, the drug used to euthanize cats and dogs."

The sponsor referred to news stories in recent years about tainted pet food and noted the FDA had recalled products after pentobarbital, which is used by veterinarians to euthanize cats, dogs and horses, was found in the samples from an Ohio-based pet food company. Rep. Lanese said current state law doesn't sufficiently cover the products that rendering plants sell to pet food manufacturers. "Under current Ohio law, a commercial feed is adulterated if it bears or contains any poisonous or deleterious substance that may render it injurious to animal or human health, except that when the substance is not an added

substance. Since the drug is not added during processing, the feed may not be considered an added substance and therefore permissible," she said.

"Most pet owners do not want to feed their family dog or cat the remains of other dogs and cats. Even if a consumer actively tries to make an informed decision by reading the label, terms like animal meal and meat meal make it hard to decipher what exactly is in our pet's food," the sponsor said. "Guardrails to ensure that our pets are not eating other pets and ingesting euthanasia drugs is one small token we can offer consumers, especially since pet food companies are denying they are part of the pet food they sell."

Responding to a question from Rep. Michael Sheehy (D-Oregon), the sponsor said there are federal regulations regarding pet food content but the lack of any legal actions underscore the need for Ohio to take action and tighten its oversight.

Several members had questions about testing for the drug, and Rep. Lanese told Rep. Darrell Kick (R-Loudonville) that imposing such costs on rendering plants would likely lead to extensive pushback.

She told Rep. John Patterson (D-Jefferson) she was unsure how many rendering plants existed in the state. "There's very little oversight of this industry," she said, adding the bill would only apply to Ohio plants.

Rep. Keith Faber (R-Celina) said he applauded the concept of the bill but questioned whether the oversight should be left to the free market, such as pet food makers putting testing labels on their products.

HB 631 **AMUSEMENT RIDES** (Hughes, J., Patterson, J.) To revise the laws governing amusement ride operation and safety, to designate this act as "Tyler's Law," and to declare an emergency. (**CONTINUED (See separate story)**; 1st Hearing-Sponsor)

Insurance

HB 621 **DEATH BENEFITS** (Hughes, J.) To revise the payments that surviving family members receive from the Ohio Public Safety Officers Death Benefit Fund and to permit surviving spouses and children to participate in the health, dental, and vision benefits offered to state employees as if the survivors were employees of this state. (**CONTINUED (No testimony)**; 3rd Hearing-Opponent)

Chair Rep. Tom Brinkman (R-Cincinnati) said the committee received a **fiscal note** detailing the bill's estimated costs. He said an amendment is being drafted in regard to a similar bill pending in the Senate.

SB 227 **HEALTH PLAN CLAIMS** (Huffman, M.) To require health plan issuers to release certain claim information to group plan policyholders. (**CONTINUED**; 1st Hearing-Sponsor)

Sen. Matt Huffman (R-Lima) said the bill would give employers more information about claims made under their health insurance coverage while protecting information that details which individuals and dependents are receiving care.

That information will give small employers more data they can use to shop for coverage from insurers, he said. Without that information, small businesses are often left to renew coverage and accept rate increases proposed by insurers.

Claims information that would be shared with employers wouldn't include any personal information, and he said the release of that redacted data isn't prohibited by federal law.

The result would spur more competition in the insurance market, potentially leading to lower prices, he said.

Rep. Wes Retherford (R-Hamilton) asked if there would be any cases where the release of information could be denied.

Mr. Huffman said the bill directs the release of non-identifiable claims information about all people covered under a company's policy.

Rep. George Lang (R-West Chester) said his initial reaction to the proposal is that if an employer is paying an insurance bill, it should have access to claims information.

Responding to **Rep. Michael Henne** (R-Clayton), Sen. Huffman said the bill is targeted to employers with between 50 and 100 employees, and indicated that leaders of smaller companies might already be aware of health conditions that their employees have.

Rep. Glenn Holmes (R-McDonald) questioned whether the sponsor would be willing to consider redacting pharmaceutical information, indicating that having knowledge of drug use could create ethical issues for those who make decisions about employee coverage.

Government Accountability & Oversight

SB 220 **CYBERSECURITY** (**Hackett, B., Bacon, K.**) To provide a legal safe harbor to covered entities that implement a specified cybersecurity program.
(**REPORTED-AMENDED (No testimony)**; 3rd Hearing-All testimony-
Possible amendments & vote)

An amendment offered by **Rep. Kathleen Clyde** (D-Kent) to replace the phrase "reasonable compliance" with "actual compliance" was tabled in an 8-2 vote, with **Rep. Bernadine Kent** (D-Columbus) joining all the Republicans present in the vote, as she would do throughout the committee meeting after recently being exiled from the House Democratic Caucus. In explaining her motion to table, **Rep. Dorothy Pelanda** (D-Marysville) said actual compliance could be a difficult bar for small businesses to clear.

"Reasonable compliance was arrived at after several interested party meetings and discussions with those people," she said.

Another failed amendment proposed by Rep. Clyde would have allowed a person whose private information is compromised to request the attorney general's office bring legal action. If it does not, the person would be able to bring legal action on behalf of the state and split the recovery.

An amendment offered by **Rep. Bill Seitz** (R-Cincinnati) that would allow owners of casinos with less than a 5% stake to avoid licensing requirements was added to the bill. He said the current law that requires licensing for anyone owning as little as 1% is unworkable for a publicly traded company.

Rep. Clyde questioned how the amendment does not run afoul of the single-subject rule.

Rep. Seitz responded the subject matter of the bill is commerce.

"I can't see anybody filing a lawsuit over this because it is simply common sense," he said.

An amendment offered by chairman Rep. Lou Blessing (R-Cincinnati) pertaining to blockchain technology e-signatures was also attached to the measure.

SB 221 **AGENCY RULEMAKING (Uecker, J.)** To reform agency rule-making and legislative review thereof. **(REPORTED-AMENDED (No testimony); 4th Hearing-All testimony-Possible amendments & vote)**

A clarifying amendment offered by Rep. Blessing to make the language in the measure more consistent with the rest of the section was accepted without objection.

Two Democratic amendments - both offered by **Rep. Brigid Kelly** (D-Cincinnati) - were tabled.

The first would have removed language allowing a business to challenge an agency rule based on adverse impact. Rep. Kelly called the language "overly broad."

"I think the main thrust is really to just avoid harming business," Rep. Blessing said.

The other would have removed language allowing a business to contest a rule outside of the regular review period.

SB 263 **NOTARY PUBLIC (Huffman, M., Wilson, S.)** To enact the Notary Public Modernization Act. **(CONTINUED (No testimony); 3rd Hearing-All testimony)**

Subscribers Note: For full testimony see the [committee's website](#) under June 26.

Health

HB 167 **OPIOID MEDICATIONS (Edwards, J.)** Regarding addiction treatment and opioid prescribing by physicians and dentists. **(REPORTED; 3rd Hearing-All testimony-Possible vote)**

The measure was reported unanimously.

Rep. Emilia Sykes (D-Akron) said a constituent with chronic pain raised concerns about the limitations in the initial draft of the proposal and said it could hinder patients' ability to get treatment.

Sponsor **Rep. Jay Edwards** (R-Nelsonville) said those provisions have been removed from the bill, which now focuses on ensuring patients have access to medication-assisted treatment if a prescriber is unavailable. "I got a lot of the same calls," he said.

HB 326 **PRESCRIBING AUTHORITY (Seitz, B., Gavarone, T.)** To authorize certain psychologists to prescribe psychotropic and other drugs for the treatment of drug addiction and mental illness. **(CONTINUED (No testimony); 6th Hearing-Possible substitute & amendments)**

HB 546 **TELEMEDICINE (Patton, T.)** To prohibit health benefit plans from treating telemedicine services differently from in-person health care services solely because they are provided as telemedicine services. **(CONTINUED; 4th Hearing-All testimony-Possible vote)**

Jimelle Rumberg, executive director of the Ohio Foot and Ankle Medical Association, said the measure would enhance physicians' efforts to provide quality, cost-effective care by allowing the care delivery system to evolve through telemedicine.

"As employers and insurers continue to drive consumers to high-deductible insurance plans that require more patient out-of-pocket requirements, telemedicine and its ability to provide quality care for lower prices could help consumers better manage their out-of-pocket requirements that are mandated by these high-deductible plans," she said.

She disputed claims that the legislation would mandate the use of telemedicine by insurers or health plans, saying it only creates a "payment parity" between in-person and telemedicine services.

"HB546 simply says that payment discrimination to a provider cannot take place solely based on the fact that the service is provided via telemedicine," she wrote. "Insurers and health plans still would have utilization management tools they may use to regulate telemedicine services and HB546 does not infringe on those capabilities."

Miranda Motter, president and CEO of the Ohio Association of Health Plans, said in written testimony that the proposal constitutes a statutory mandate for coverage of telehealth, which could stifle innovation and limit the technology's ability to be a tool to drive down costs.

"Telehealth should not be used to increase health care costs for consumers, employers and the state as the payer for Medicaid and the State Employees Health Plan," she wrote. "As a result, Ohio's health care consumers should not have to pay for 'bricks and mortar' infrastructure, facility fees and other types of fees hospitals and doctors charge for in-person services."

HB 559 **CHILD IMMUNIZATIONS (Gonzales, A., Landis, A.)** To make changes to the law governing immunization of children enrolled in school, preschool programs, and day-care programs. (CONTINUED-SUBSTITUTE; 4th Hearing-Possible substitute & amendments)

The panel accepted a substitute version that removes the requirement that the Department of Health publish immunization rates by school building and makes other changes, said **Rep. Theresa Gavarone** (R-Bowling Green). (Comp Doc)

The school building change stemmed from concerns that it could lead to shaming and might allow specific students to be identified, she said.

The new version retains provisions about school-level reporting to ODH and clarifies that information from private and parochial schools is not to be posted on the department's website, she said.

Rep. Gavarone said the new version expands the eligible documents to include a copy of the child's immunization record and allows the provider to submit a form for parents seeking a non-medical exemption. It also delays implementation until the 2021 school year.

The committee received written testimony from Donna Kazee, president of Ohio Advocates for Medical Freedom, who urged committee members to pay more attention to concerns from opponents.

Ms. Kazee raised concerns about the tracking of vaccination and exemption status and the public posting of data, and about the insertion of a third party into the exemption process against the parent's choosing.

"These and other parents should not be forced to receive education and information when they are declining for religious/conscience reasons, which have nothing to do with medical information," she said.

She also suggested more details of the required form be standardized, raising concerns that it could include statements such as that they are placing their child and others in danger by not vaccinating.

"We encourage and are happy to assist with further discussion about both standardized form contents and responsibility and determination of standardized risk and benefit information," she said.

HB 677 **MENTAL HEALTH (Barnes, J.)** To require the Department of Mental Health and Addiction Services to operate a demonstration program under which a mental health trauma center is established as part of a county hospital located in Cuyahoga County. (**CONTINUED**; 1st Hearing-Sponsor & proponent)

Sponsor Rep. John Barnes (D-Cleveland) said it would require a mental health trauma center to be established through a demonstration program at a county hospital in Cuyahoga County. "In the state of Ohio, we have a crisis of mental health issues, and largely our government has been reactive to the problem," he said.

The proposal is intended to get out in front of the issue by improving access to mental health services, particularly short-term services, he said.

The sponsor said he hoped to work out the details of the proposal over the summer.

HB 72 **STEP THERAPY (Johnson, T., Antonio, N.)** To adopt requirements related to step therapy protocols implemented by health plan issuers and the Department of Medicaid. (**CONTINUED-SUBSTITUTE**; 6th Hearing-Possible substitute)

The committee accepted a substitute version that **Rep. Terry Johnson** (R-McDermott) said made a variety of changes. (**Fiscal Note**)

The new version replaces the terms "based on medical necessity" and "medically appropriate" with "consistent with medical and scientific evidence," he said. It also reduces the exemptions to four and modifies them. It now exempts a patient when the medication is contra-indicated or will likely cause an adverse reaction or physical or mental harm, as opposed to previously just if it is contra-indicated, he said.

The substitute version also makes changes to the appeals process, he said.

Civil Justice

HB 147 **HUMANE SOCIETIES (Hambley, S.)** To make changes to humane society law and to make humane society agents subject to bribery law. (**REPORTED**; 4th Hearing-All testimony-Possible vote)

Corey Roscoe, Ohio state director for the Humane Society, submitted interested party testimony in which she said concerns remain that the regulations proposed "can create overdue burdens and unintentionally make it harder for humane societies to perform their volunteer law enforcement duties."

"One prominent concern of the bill is to require non-prosecution requirements entered in by humane society-appointed prosecutors be approved by a judge but not required for all prosecutors and cases prosecuted under 959," Ms. Roscoe wrote. "The law should be

consistent for all prosecutors if the goal of judicial review is to serve as a check and balance."

HB 615 **DEBT COLLECTIONS (West, T.)** To require creditors, prior to collecting the debt of a decedent outside of probate, to explicitly inform the person from whom payment is sought that the person is under no obligation to pay the debt. (CONTINUED; 1st Hearing-Sponsor)

Due to the lateness of the committee's start, in terms of HB615, HB672 and HB694, Chair **Rep. Jim Butler** (R-Oakwood) said the panel would accept written sponsor testimony to constitute each bill's first hearing. Sponsors may appear before the panel at a later date to answer questions, he said.

In written testimony, **Rep. Thomas West** (D-Canton) urged support for his measure that aims to ensure those who have lost loved ones don't mistakenly believe they are obligated to pay the deceased's debts.

"House Bill 615 will require all creditors that have claims against an estate to inform the person from whom payment is sought, that they as an individual are under no obligation to pay the debt," the sponsor wrote. "The bill also states that failure to inform the individual is considered an unconscionable act and renders the creditor subject to legal action by the Attorney General or by the individual that was left uninformed."

HB 672 **PUBLIC RECORDS (Barnes, J.)** To create a procedure by which a person may obtain a court order to correct an error, omission, or legal defect in a public record, and to name the act the "Final Order Correction Act." (CONTINUED; 1st Hearing-Sponsor)

Rep. John Barnes (D-Cleveland) said in his written presentation the proposal would enable a person to file a petition in the court of common pleas to request a correction or invalidation if an error, omission or legal defect is found in a public record.

The error must personally affect the complainant, who must then file with the county where the office responsible for the record is located or where the record is kept. The office must then respond and state the basis for belief the record is accurate.

The court would then determine whether a correction or invalidation is required based on a preponderance of the evidence. "The (bill) will ensure that the constitutional right of due process is achieved," Rep. Barnes wrote.

HB 694 **CONTRACT LIMITATIONS (Lang, G.)** To shorten the period of limitations for actions upon a contract. (CONTINUED; 1st Hearing-Sponsor)

Rep. George Lang (R-West Chester Twp.) said in written testimony his proposal is "short but significant" in that it reduces the statute of limitations for written and oral contracts from eight and six years respectively to three years.

"As a business owner, the more certainty I can gain, the more business risks I can take," Rep. Lang said. "If I know my liability on a contract only runs for three years, I can take on different relationships. I can be certain that my current obligation will run for a time certain. This allows me to launch capital expenditures, strategically deploy capital, and to secure appropriate risk management devices."

Ohio previously had a 15-year statute on written contracts until 2012. He pointed to similar steps taken by Kentucky and other states, saying they risk putting Ohio at a competitive disadvantage.

"A significant, tangible cost savings will result for business by removing the necessity to retain eight years of documents," Rep. Lang said. "More and more, document retention is becoming a cost driver for business. Limiting the need to only three years, will remove a key burden on businesses."

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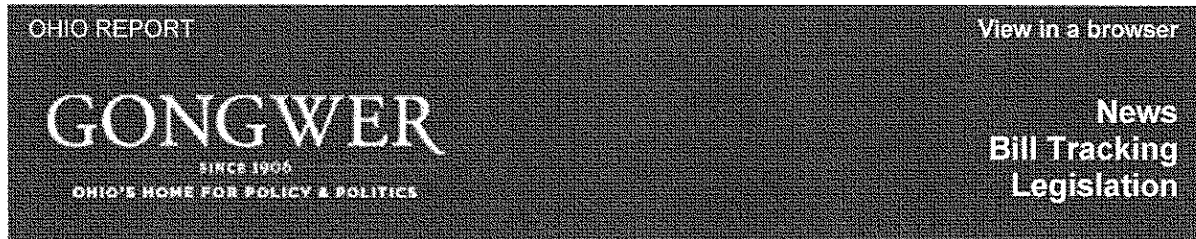
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OHIO REPORT WEDNESDAY, JUNE 27

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Bills On Religion, Pharmacy Benefit Managers Among Dozens Backed By House

Senate Passes Measures Focused On Reducing Regulations

Bills Amended To Enhance Online School Oversight Head To Governor

Senate Panel Delays Vote On Energy Standards, Wind Setback Bill

Proposed Regulations Inspired By State Fair Ride Death Get Initial Hearing

High Court Strikes Down 'Agency Fees' For Public Sector Unions; Kennedy Announces Retirement

Chairman: Senate Looking For Balance With Payday Lending Measure

Prosecutors Praise Beefed Up Parole Monitoring Bill

Senate Releases Session Calendar

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